

DEPARTMENT OF SOCIAL SERVICES

744 P Street, Sacramento, California 95814



April 18, 2006

ALL COUNTY LETTER NO. 06-09

TO: ALL COUNTY WELFARE DIRECTORS
ALL COUNTY WELFARE-TO-WORK COORDINATORS
ALL COUNTY REFUGEE COORDINATORS

REASON FOR THIS TRANSMITTAL

- ☒ State Law Change
- ☐ Federal Law or Regulation Change
- ☐ Court Order
- ☐ Clarification Requested by One or More Counties
- ☐ Initiated by CDSS

SUBJECT: CALIFORNIA WORK OPPORTUNITY AND RESPONSIBILITY TO KIDS
(CALWORKS) WELFARE-TO-WORK (WTW) EMERGENCY
REGULATIONS IMPLEMENTING SENATE BILL (SB) 1104 AND SB 68

REFERENCES: ALL COUNTY LETTER (ACL) 04-41 and ERRATA

The purpose of this letter is to transmit emergency regulations that amend CalWORKs WTW program requirements due to the enactment of SB 1104 and SB 68. The provisions of SB 1104 were implemented through ACL 04-41, dated October 8, 2004, and its Errata, dated December 9, 2004. The attached CalWORKs WTW program regulations formally implement these provisions, as amended by SB 68, and became effective April 3, 2006. This letter also transmits revised forms associated with these regulations.

BACKGROUND

Senate Bill 1104 (Chapter 229, Statute of 2004) significantly changed the WTW program by amending sections of the Welfare and Institutions Code, including the elimination of the 18- or 24-month time limit; requiring the initial CalWORKs WTW plan to be developed within 90 days of eligibility, with certain exceptions; and requiring individuals to participate for a minimum of 20 hours per week in core WTW activities. Senate Bill 68 (Chapter 78, Statute of 2005) made additional changes to the provisions of SB 1104; specifically, it added secondary education to the list of non-core activities which may count toward the core-activity requirement under certain conditions, and specified that non-core hours spent in "other activities necessary to assist an individual in obtaining unsubsidized employment" does not prevent other non-core activities from counting as core when certain conditions are met.

NEW OR AMENDED WTW REGULATIONS

Significant changes to the WTW program regulations resulting from SB 1104 or SB 68 includes the following:

Elimination of the 18- or 24-Month Time Limit

- Deleting the 18- or 24-month time limit requirement and all cross references related to this time limit (MPP Section 42-710).
- Deleting the section related to the community service requirement post 18- or 24-month time limits (MPP Section 42-711.9).
- Deleting the learning disabilities section related to the retrospective adjustment of the 18- or 24-month time clock for certain individuals (MPP Section 42-722.8).

Universal Engagement

- Specifying that individuals must enter into a WTW plan after assessment, but no more than 90 days after the date an individual's eligibility for aid is determined, or the date the individual is required to participate in WTW activities, with certain exceptions (MPP Section 42-711.62).
- Specifying that individuals may enter into a WTW plan as late as 90 days after the completion of job search, if job search is initiated within 30 days after the individual's eligibility for aid is determined, or the date the individual is required to participate (MPP Sections 42-711.621).
- Specifying that the number of days an individual is involved in the good cause, compliance, or sanctioning process, or the time between the date a learning disability evaluation appointment is scheduled and the date the county receives the final report, up to a maximum of 90 days, do not count toward the 90- or 30-day periods in which to develop a WTW plan or initiate job search [MPP Sections 42-711.622(a) and (b)].

Core and Non-Core WTW Activity Requirements

- Specifying that except for exempt individuals, individuals enrolled in self-initiated programs (SIPs), individuals granted a domestic abuse waiver, individuals receiving CalWORKs family reunification services, or 19-year-old custodial parents without a high school diploma, participants must participate for a minimum average of 20 hours per week of core activities (MPP Section 42-716.2).
- Specifying that, of the remaining 32- or 35-hour participation requirement, up to 12 or 15 hours may be comprised of any WTW activity (MPP Section 42-716.22).

- Specifying that parents in a two-parent assistance unit, who both contribute to the 35-hour per week WTW participation requirement, may split the 20-hour per week core requirement [MPP Section 42-711.421(b)(1)].
- Specifying that non-core hours spent in mental health, substance abuse, or domestic abuse services, or specified educational activities, in excess of those that can be accomplished within the non-core hours, may count as core hours under certain conditions (MPP Sections 42-716.23, .231, .232).
- Specifying that non-core hours spent in “other activities necessary to assist an individual in obtaining unsubsidized employment” do not prevent other non-core activities from counting as core when certain conditions are met (MPP Section 42-716.241).
- Specifying that participation in vocational education and training may only count as a core activity for a cumulative total of 12 months during an individual’s cumulative 60-month time limit on aid (MPP Section 42-716.211).
- Specifying that hours spent in vocational education and training as a non-core activity prohibits an individual from counting any non-core hours as core hours (MPP Section 42-711.242).
- Specifying that study time counts as a core activity if the individual receives educational credit/units for those hours, the credit/units count toward the completion of the individual’s degree or certificate program, and the program meets other criteria allowing participation in that activity to count as core hours (MPP Section 42-716.261).
- Specifying that, at county option and when included in the county’s plan, non-credit study time hours, whether supervised or unsupervised, can count as non-core hours of participation (MPP Sections 42-716.262).

Informing Requirements

- Requiring that a description of core and non-core activities, and when non-core activities may count toward the core requirement, be provided to individuals at the time they apply for aid or their eligibility for aid is determined [MPP Section 42-711.112(b)].

REVISED WTW FORMS

The following forms attached to this ACL have been amended for clarity and/or consistency with the changes required by SB 1104 and SB 68. These revised forms must be used immediately and old stock destroyed.

- WTW 1 Welfare-to-Work Plan, Rights and Responsibilities
- WTW 2 Welfare-to-Work Plan, Activity Assignment (with instructions)
- WTW 15 Simplified Food Stamp Program Unpaid Work Experience and Unpaid Community Service Hours Worksheet
- WTW 16 Grant-Based On-the-Job Training Participation: Voluntary Consent Form
- WTW 16A Examples of Family Income (Region 1)
- WTW 16B Examples of Family Income (Region 2)
- WTW 17 Waiver of CalWORKs Learning Disabilities Screening and/or Evaluation
- CW 215 Notification of Intercounty Transfer
- CW 2186A CalWORKs Time Limit and Welfare-to-Work Participation Exemption Request Form

Particular attention should be given to the WTW 2 (Welfare-to-Work Plan, Activity Assignment), which has changed significantly. The WTW 2 is used, following assessment, when a participant begins any new WTW activity, when a concurrent activity is being added to an existing activity, or when there is any change within the existing activity (e.g., a change in participation hours, location, or activity start time). Most significantly, the WTW 2 was changed to include a listing of activities that fall under the categories of “core hours,” “non-core hours that can count toward core hours,” and “non-core hours that cannot count toward core hours.” These categories also include space to indicate the number of hours that the individual must participate in each assigned activity. It should be noted that the WTW 3 (Welfare-to-Work Plan—Activity Assignment Change) is now obsolete. This form was used when there was a change within the activity assigned in the WTW 2. The function of the WTW 3 is now incorporated into the functions of the WTW 2.

Obsolete Forms

The following forms (not attached) have been made obsolete:

- TEMP NA 1235 Adjustment to Welfare-to-Work Time Limit Based on Learning Disabilities
- TEMP NA 1234 No Adjustment to Welfare-to-Work Time Limit Based on Learning Disabilities
- WTW 3 Welfare-to-Work Plan Activity Assignment Change
- WTW 21 Notice of Adjustment of the CalWORKs 18- or 24-month Welfare-to-Work Time Clock

Other Form Revisions

In addition, while unrelated to the form revisions required by SB 1104 or SB 68, the Department is also transmitting the following revised form related to learning disabilities:

- WTW 20 Permission to Release Learning Disabilities Information

The WTW 20 was changed to add a statement notifying individuals that if they refuse to complete and sign this form, a copy of any screening, evaluation, diagnosis, and/or accommodations information on the individual about possible learning disabilities will not be sent to the new county if they move, and their WTW plan in the new county may not include accommodations for their learning disability(ies).

OBTAINING FORMS ELECTRONICALLY

Camera Ready Copies and Translations

For a camera ready copy of the revised forms in English, contact the Forms Management Unit at (916) 657-1907. If your office has internet access, you may obtain these forms from the CDSS web page at:

http://www.dss.cahwnet.gov/cdssweb/On-lineFor_271.htm.

When all translations are completed per MPP 21-115.2, including Spanish forms, they are posted on an ongoing basis on our web site. Copies of the translated forms and publications can be obtained at:

http://www.dss.cahwnet.gov/cdssweb/FormsandPu_274.htm. For questions on translated materials, please contact Language Services at (916) 651-8876.

CalWORKs Forms Coordinators must ensure that the translated forms are made available in each program location. In addition, counties must provide bilingual/interpretive services and written translations to non-English- or limited-English-proficient populations as required by the Dymally-Alatorre Bilingual Services Act (Government Code Section 7290 et seq.) and MPP Section 21-115.

If you have questions or need additional information regarding the information in this letter, please contact your CDSS Employment Bureau county consultant at (916) 654-2137.

Sincerely,

CHARR LEE METSKER
Deputy Director
Welfare to Work Division

Attachments

WELFARE-TO-WORK PLAN RIGHTS AND RESPONSIBILITIES

This is an overview of the rights and responsibilities of participants in Welfare-to-Work activities under the California Work Opportunity and Responsibility to Kids (CalWORKs) Program. Your Welfare-to-Work Plan tells how you and the county will work together so that you can get and keep a job. Your plan includes this form, the Activity Assignment, and the Welfare-to-Work Handbook. The Welfare-to-Work Handbook tells you about Welfare-to-Work activities, services, and rules. The Activity Assignment tells you the Welfare-to-Work activity that you will be participating in.

The county must do certain things to help you while you are in Welfare-to-Work. The county must explain Welfare-to-Work to you and answer any questions.

PARTICIPANT NAME _____

CASE NAME _____

CASE NUMBER _____

I.D. NUMBER _____

The county must help you arrange and pay for child care, transportation, and work and training costs. If necessary, the county can make advance payments to you for these supportive services.

This plan and any changes to it will apply to you and the county as long as you participate in Welfare-to-Work. But, the county may have to change or stop all or part of this plan if: 1) there are changes in law or regulations; 2) the county cannot get or pay for services from the provider; or 3) you stop receiving cash aid under the CalWORKs program. The county will inform you of any changes in writing.

YOUR RIGHTS

As a Welfare-to-Work participant, you have the following rights which will help you take part in Welfare-to-Work.

You have the right to the following:

Employment Services

- Receive direction and support from the county to help you improve your ability to get a job. This can possibly include on-the-job training and job skills training or education.
- Receive a referral to places that offer personal counseling, mental health, substance abuse, or domestic abuse services, at no cost to you, if you need them to help you participate.

Supportive Services

- Receive payment for child care, transportation, and work and training-related expenses if you need them to participate in or attend any Welfare-to-Work appointment or activity. These are called supportive services. If you need them, but do not get them, you may have good cause for not participating.
- Receive details of your supportive service arrangements in writing.
- Receive advance payment, if you need it to avoid using your own money, for approved supportive services.

Welfare-to-Work Plan

- Ask for a change or reassignment to another activity within 30 days from the beginning of your first training or education assignment under your initial Welfare-to-Work plan.
- Change your mind about the activities assigned in your Welfare-to-Work plan. If you change your mind, you must tell your Welfare-to-Work worker within three (3) working days after signing your Welfare-to-Work plan Activity Assignment form (WTW 2).
- Automatically get a neutral third party to assess your employment and or training needs if you disagree with the assessment or you and the county cannot agree on a plan to meet your assessed employment needs.
- Ask for a different provider if you object to the religious character of any provider to which you have been assigned.
- Not to participate in any religious activity offered by a service provider. Participation in such an activity is voluntary.

Resolve Problems with your Welfare-to-Work Plan

- Not participate if the services you and the county agree you need are not provided.
- Not participate if the county decides you have any other good reason.
- Explain the reason if you fail to do what Welfare-to-Work requires.
- Have a second chance to cooperate and participate in Welfare-to-Work through the compliance process.
- Ask for legal advice at anytime regarding your participation in Welfare-to-Work from your local legal aid or welfare rights office by calling () _____ .

PHONE NUMBER

Employment Problems

- Leave a job or not accept a job if the county decides you have a good reason.

Complaints

- Protest any county action you do not agree with by filing a formal grievance with the county or asking for a State hearing by calling 1-800-952-5253, or for the hearing or speech impaired who use TDD, call 1-800-952-8349.

YOUR RESPONSIBILITIES

As a Welfare-to-Work participant, you also have the following responsibilities to make sure Welfare-to-Work works for you.

You must:

- Accept a job if you get an offer, unless you have a good reason not to.
- If working, keep the job and not lower your earnings.
- Sign activity assignments which tell how you and the county will work together while you participate.
- Participate as described in your Welfare-to-Work plan unless you have a good reason.
- Choose and arrange for supportive services. The county will help you.
- Sign up for subsidized child care if you will need it. The county will tell you how.
- Ask your Welfare-to-Work worker if you have any questions about Welfare-to-Work.
- Tell your Welfare-to-Work worker of changes that may affect your participation.
- Tell your Welfare-to-Work worker right away of changes in your need for supportive services. This includes changes in child care providers. If you do not tell the county in advance, the county may not be able to pay for the services that change.
- Pay Welfare-to-Work back for any supportive services payments you got, but you did not need or you were not eligible to get.
- Call or go to the county when they ask you to.
- Give proof of satisfactory progress in your assigned activity, if required by your county.
- Read (or have read or explained to you) the Welfare-to-Work Handbook and ask questions about any part of the handbook you do not understand.

QUESTIONS?

The Welfare-to-Work Handbook gives you more information on your rights and responsibilities. If you have any questions, be sure to check the Welfare-to-Work Handbook or call your Welfare-to-Work worker at the number shown below.

CERTIFICATION

I understand that the purpose of Welfare-to-Work is to help me prepare for work and find a job.

I have read (or had read or explained to me) and understand this Rights and Responsibilities form. I have received a Welfare-to-Work Handbook. I know that I have certain rights and responsibilities as a participant in Welfare-to-Work. I know that I must meet all my responsibilities as a Welfare-to-Work participant. If I fail to meet my responsibilities without good reason, I know that there are certain penalties and that my cash aid may be affected.

PARTICIPANT'S SIGNATURE:

DATE:

WELFARE-TO-WORK WORKER'S SIGNATURE:

PHONE:

DATE:

WELFARE-TO-WORK PLAN ACTIVITY ASSIGNMENT

PARTICIPANT NAME: _____		<input type="checkbox"/> Initial Activity Assignment
CASE NAME: _____		<input type="checkbox"/> Amendment # _____
CASE NUMBER: _____	I.D. NUMBER: _____	
WELFARE-TO-WORK WORKER'S NAME: _____		

- ☐ **Mandatory participant.** I must do the activities listed below. I understand that if I do not participate as required in these activities, my cash aid may be lowered, unless the county decides I had a good reason to not do them.
- ☐ **Volunteer.** I understand that I do not have to participate, but I agree to do and finish the activities listed below. I understand that as a volunteer, my cash aid cannot be lowered for failing to do these activities. I understand if I stop doing these activities, I may not be allowed to participate in Welfare-to-Work for a period of time, unless the county decides that I had a good reason not to do them. I understand that the 20-hour core activity and the 32- or 35- hour per week rules do not apply to me.
- ☐ **SIP.** I understand that the 20-hour core activity rule does not apply to me.

CORE HOURS

I must do at least 20 "core" hours per week. They are:

- | | | | |
|--|-----------------|--|-----------------|
| <input type="checkbox"/> Unsubsidized employment | for _____ hours | <input type="checkbox"/> Subsidized public sector employment | for _____ hours |
| <input type="checkbox"/> Job search and job readiness assistance | for _____ hours | <input type="checkbox"/> On-the-job-training | for _____ hours |
| <input type="checkbox"/> Work experience | for _____ hours | <input type="checkbox"/> Grant-based on-the-job-training | for _____ hours |
| <input type="checkbox"/> Vocational education and training (up to 12 months) | for _____ hours | <input type="checkbox"/> Supported work or transitional employment | for _____ hours |
| <input type="checkbox"/> Work study | for _____ hours | <input type="checkbox"/> Self-employment | for _____ hours |
| <input type="checkbox"/> Subsidized private sector employment | for _____ hours | <input type="checkbox"/> Community service | for _____ hours |

NON-CORE HOURS THAT CAN COUNT TOWARD CORE HOURS

I must do these activities for the number of hours shown.

- ☐ Adult basic education
- ☐ Job skills training directly related to employment
- ☐ Education directly related to employment
- ☐ Satisfactory progress in a secondary school
- ☐ Mental health services
- ☐ Substance abuse services
- ☐ Domestic abuse services

Number of hours of non-core	Number of hours that count toward core
_____ hours	_____ hours
_____ hours	_____ hours
_____ hours	_____ hours
_____ hours	_____ hours
_____ hours	_____ hours
_____ hours	_____ hours
_____ hours	_____ hours

NON-CORE HOURS THAT CANNOT COUNT TOWARD CORE HOURS

- ☐ *Vocational education and training
(after counting as core for 12 months) for _____ hours
- ☐ Other activities necessary to assist an individual in obtaining employment for _____ hours
- ☐ Participation required by the school to ensure the child's attendance for _____ hours

*If there is any participation in this activity, then no hours in any non-core activity can count toward the core-hour rule.

ASSIGNMENT AND SERVICES

ACTIVITY, LOCATION, SCHEDULE, AND HOURS

- Activity: _____
Begins: _____ Expected to end: _____
Schedule: _____ Hours per week: _____
Location: _____
- Activity: _____
Begins: _____ Expected to end: _____
Schedule: _____ Hours per week: _____
Location: _____
- Activity: _____
Begins: _____ Expected to end: _____
Schedule: _____ Hours per week: _____
Location: _____
- Activity: _____
Begins: _____ Expected to end: _____
Schedule: _____ Hours per week: _____
Location: _____

SUPPORTIVE SERVICES

The county will give me:

- ☐ Child Care
- ☐ Transportation
- ☐ Bus Pass ☐ Mileage ☐ Parking
- ☐ Other: _____

☐ Ancillary (other) Costs for:

- _____
- _____
- _____
- _____

- ☐ The county will send me the location and schedule for my _____ activity by _____ (date).
- ☐ I will go to _____ on/by _____ to get my _____ location and/or schedule.
LOCATION DATE ACTIVITY
- ☐ I will give my Welfare-to-Work worker a copy of my _____ schedule by _____. I will tell my Welfare-to-Work worker if any changes are made and give my Welfare-to-Work worker a copy of the changes if required.
ACTIVITY DATE
- ☐ I understand that if I do not go to _____ / _____ as required by the county or make satisfactory progress in these activities, the county will decide why, and I may have to go to different activities. I understand that I must give proof of satisfactory progress in these activities to my Welfare-to-Work worker by the date(s) listed below.
- Activity: _____ Date Proof is Due: _____
- Activity: _____ Date Proof is Due: _____
- ☐ Additional Comments: _____

SUPPORTIVE SERVICES

- The county will pay for supportive services (child care; transportation; and work, education, and training related expenses) if I need them to participate in my Welfare-to-Work assignments and Welfare-to-Work rules allow for them.
- I have reviewed my need for Welfare-to-Work supportive services with my Welfare-to-Work worker. I understand that I do not have to do my assignment until the supportive services I need have been arranged.
- I understand that I must tell my Welfare-to-Work worker right away of changes in my need for Welfare-to-Work supportive services, or if I no longer need them. **If I do not report the changes in advance, the county may not be able to pay for them.**
- I understand if the county pays for supportive services that are more than what I needed to participate in Welfare-to-Work, I will have to pay the county back.

PARTICIPANT'S CERTIFICATION

- ☐ I understand that my Welfare-to-Work Plan includes this form, the Welfare-to-Work Plan - Rights and Responsibilities, and the Welfare-to-Work Handbook. I understand that Welfare-to-Work activities and services, and my rights and responsibilities as a Welfare-to-Work participant, are explained to me on these forms.
- ☐ I have received a Welfare-to-Work Handbook.
- ☐ I know I can ask my Welfare-to-Work worker if I have any questions.
- ☐ I understand that if I do not agree with my assessment or the county and I can not agree on a plan, and I tell my worker, the worker **must** refer me to a neutral third party for a new assessment of my employment or Welfare-to-Work activity needs.
- ☐ This is my first training or education assignment under a Welfare-to-Work plan. I understand that I have 30 calendar days from the beginning of my first training or education assignment under my initial Welfare-to-Work Plan to request a change or reassignment to another activity. This 30-day grace period is available only once during my time receiving California Work Opportunity and Responsibility to Kids (CalWORKs) cash aid. If the county agrees to the change, I know I will have to sign a new Activity Assignment.
- ☐ I have three (3) working days to think about the terms of this Activity Assignment after I sign it. I understand if I want to change the terms of this Welfare-to-Work Plan, I must tell my Welfare-to-Work worker by _____. If I do not tell my Welfare-to-Work worker by then, this Activity Assignment is final.
DATE
- ☐ I have read (or had read to me) and understand this Activity Assignment, and have received a copy. If I do not meet my responsibilities without a good reason, I know that there are penalties that can include having my cash aid lowered.
- ☐ I understand that I can ask for a different service provider if I object to the religious character of any provider to which I have been assigned.
- ☐ I understand that I can say no to any religious activity offered by a service provider, and that any participation in any religious activity offered by a service provider is voluntary.
- ☐ I understand if I do not agree with any county action regarding my Welfare-to-Work participation, I can file a formal grievance with the county or I can ask for a State hearing by calling, toll-free, 1-800-952-5253. If the county is proposing to lower or stop my aid, my aid will be lowered or stopped if I file a formal grievance.
- ☐ I understand that I can get **free legal help** with Welfare-to-Work problems from the local legal or welfare rights office, by calling _____
() _____
PHONE NUMBER

PARTICIPANT'S SIGNATURE		DATE
WELFARE-TO-WORK WORKER'S SIGNATURE	PHONE	DATE

INSTRUCTIONS FOR COMPLETING THE WTW 2 FORM

WTW 2 (12/05) Welfare-to-Work Plan-Activity Assignment

This form replaces the WTW 2 form dated 9/04. The WTW 2 is used, following assessment, when a recipient begins any new WTW activity, when a concurrent activity is being added to an existing activity, or when there is any change within the existing activity (e.g., a change in participation hours, location, or activity start time).

Completing the form:

“Mandatory Participant” – Check this box if the recipient is required by the county to participate in an assigned activity(ies).

“Volunteer” – Check this box if the recipient is exempt from mandatory participation in WTW but chooses to voluntarily participate.

“SIP” – Check this box if the recipient is involved in a county-approved Self-Initiated Program (SIP). If participation in a SIP, as determined by the number of hours required for classroom, laboratory, or internship activities, is not at least an average of 32 hours per week, the recipient must concurrently participate in work activities, pursuant to the Manual of Policies and Procedures (MPP) Sections 42-716.31 (a) through (j), inclusive, and in accordance with Section 42-711.5, to reach the 32-hour requirement.

“CORE HOURS” is for recording a minimum of 20 hours of “core” activities per week that have been assigned to a recipient. If a recipient is assigned to unpaid community service and/or unpaid work experience, counties may use the Simplified Food Stamp Program Unpaid Work Experience (WEX) and Unpaid Community Service Hours Worksheet (WTW 15) to determine the maximum number of hours a recipient may participate in these activities, up to 32 or 35 hours per week.

“NON-CORE HOURS THAT CAN COUNT TOWARD CORE HOURS” is for recording non-core hours of participation, including hours of participation in excess of those that can be accomplished within the non-core hours that can count toward the core-hour rule. For example, hours spent in activities such as mental health, substance abuse, or domestic violence, counts toward the core activity requirement to the extent that these activities are necessary to enable the recipient to participate in core activities, as determined by the county, and to the extent that these activities cannot be accomplished within the additional non-core hours of participation. Additionally, the assigned participation hours, if any, in classroom, laboratory, or internship activities in adult basic education, job skills training directly related to employment, satisfactory progress in secondary education, and education directly related to employment count toward the core-hour rule to the extent these activities cannot be accomplished within the additional non-core hours of participation and meet other requirements as stated in MPP Section 42.716.23.

INSTRUCTIONS FOR WTW 2 (CONTINUED)

“NON-CORE HOURS THAT CANNOT COUNT TOWARD CORE HOURS” is for recording non-core hours of participation that cannot count toward the core-hour rule.

If there is any participation in vocational education and training after having counted it as a core activity for 12 months, then no hours in any non-core activity can count toward the core-hour rule.

“ACTIVITY, LOCATION, SCHEDULE, AND HOURS”- If the activity, location, and schedule of the activity are known, put the information in the appropriate spaces. Note that the form accommodates the location, schedule, and hours for four concurrent activities.

If the location and schedule are not known, check the appropriate box on page 2 to indicate how the information will be obtained by the recipient and fill in the corresponding blanks.

“SUPPORTIVE SERVICES”- Review this section with the recipient and provide the necessary assistance in arranging for the recipient's supportive services, and put the information in the appropriate spaces provided at the bottom of page 1.

“PARTICIPANT'S CERTIFICATION”- Carefully review this section with the participant, checking each box, and have the recipient sign where indicated. The county worker must also sign where indicated. Put the date by which the recipient must tell the county worker if the recipient wants to change the terms of the Activity Assignment.

IMPORTANT: In the first sentence of the PARTICIPANT'S CERTIFICATION section, it is specified that the WTW Plan includes the WTW1, WTW 2, and the WTW Handbook. This should be emphasized to the participant prior to signing this form. During State Hearings, county welfare departments should be sure to include the WTW Handbook submitting the WTW 1 and WTW 2 forms as evidence.

Give a copy of the completed, signed form to the recipient.

Note: After the WTW 2 has been signed and the recipient begins his or her activity, a new WTW 2 is to be completed when a recipient begins any new WTW activity, when a concurrent activity is being added to an existing activity, or when there is any change within the existing activity (e.g., a change in participation hours, location, or activity start time).

SIMPLIFIED FOOD STAMP PROGRAM UNPAID WORK EXPERIENCE (WEX) AND UNPAID COMMUNITY SERVICE HOURS WORKSHEET

Complete this form to determine the maximum number of hours a county may assign an individual to unpaid community service and/or unpaid WEX, up to 32- or 35-hours per week. (Note: A county need not assign an individual all of the hours determined by the formula below). If the assignment is less than 32- or 35-hours per week, the individual is required to participate in other activities to meet his or her work participation requirement.

PARTICIPANT'S NAME	GRANT/CALCULATION MONTH (MONTH PRIOR TO THE ACTIVITY PARTICIPATION MONTH)
	ACTIVITY PARTICIPATION MONTH
CASE NO.	

1. Actual Cash Grant Authorized for the Grant/Calculation Month, Including Underpayments and Supplemental Payments On or Before the 10th of the Month. <i>(After Penalties and Overpayments. Do Not Include Any Amount Used to Subsidize Grant-Based OJT Community Service.)</i>	\$
2. Actual Food Stamp Allotment Authorized for the Grant/Calculation Month, Including Underissuances Paid On or Before the 10th of the Month. <i>(After Overissuance Adjustments.)</i> To determine prorated amount for mixed food stamp households , use this formula: $\frac{\text{Total Household FS Allotment (\$)}}{\text{\# of FS Recipients in Household ()}} = \frac{\text{(FS Amount/ Person)}}{\text{(FS Amount/ Person)}} \times \frac{\text{(\# of CalWORKs Recipients)}}{\text{(\# of CalWORKs Recipients)}}$	+ \$
3. Total Benefits Paid for the Grant/Calculation Month. <i>(Total of line 1 and line 2)</i>	= \$
4. Monthly Minimum Wage Calculation Amount for the Grant/Calculation Month. <i>(Divide line 3 by the appropriate minimum wage)</i> $\frac{\$ (line\ 3)}{(line\ 3)} \div \frac{\$ (Minimum\ Wage)}{(Minimum\ Wage)}$	=
5. Maximum Average Unpaid WEX/Community Service Hours for the Grant/Calculation Month. <i>(Divide line 4 by 4.33)</i> $\frac{(Round\ Down)}{(line\ 4)} \div 4.33$	=

COMPLETED BY	AGENCY	DISTRICT NUMBER (IF APPLICABLE)	DATE
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GRANT-BASED ON-THE-JOB TRAINING PARTICIPATION: VOLUNTARY CONSENT FORM

PARTICIPANT NAME	
CASE NAME	
CASE NUMBER	I.D. NUMBER
WELFARE TO WORK WORKER NAME	

This form is to help you decide if you want to volunteer to do grant-based on-the-job training (OJT). It lists your rights and responsibilities if you accept the OJT assignment. Grant-based OJT is where all or part of your cash aid, or the savings from your lowered aid because you are working, will be given to your employer. The employer will use your aid (or the savings) to help pay for your wages. If you do not want to do grant-based OJT, you and your worker will decide what your Welfare-to-Work assignment will be based on your background and employment plan.

GRANT-BASED ON-THE-JOB TRAINING (OJT) PARTICIPATION REQUIREMENTS

My initials below show that I have reviewed the following items with my worker and understand the rules for participation in a grant-based OJT funded assignment.

- ☐ Participation in a grant-based OJT assignment is voluntary.
- ☐ The county welfare department (CWD) cannot take any action against me for refusing to agree to be assigned to a grant-based OJT position.
- ☐ The CWD will give all or part of my cash aid to my employer to pay all or part of my wages.
- ☐ I will not receive the earned income disregard for wages that are paid from the cash aid given to my employer.
- ☐ When I participate in a grant-based OJT assignment, my total monthly take-home pay may be less than the amount I would usually get as cash aid.
- ☐ The amount of my cash grant will be based on the expected earnings from my grant-based OJT assignment.
- ☐ The monthly total of my **gross wages** (the amount I am paid before taxes and other payments are taken out) plus my cash aid, if any, should be as much as or more than the amount I would get as cash aid if I did not take the grant-based OJT position.
- ☐ If the county pays me a corrective underpayment because my employer does not pay me for all the hours that I work, and I later collect the wages due from the employer, I will pay the county back for as much of the corrective underpayment as I receive in back wages from the employer. If I do not return the money the county will consider this an overpayment.
- ☐ If I agree to a grant-based OJT assignment, I am still a CalWORKs recipient. I must comply with Welfare-to-Work requirements.
- ☐ Failure to meet the rules of the grant-based OJT assignment without a good reason will result in a sanction and my cash aid may be lowered. Some reasons why I may be sanctioned and have my cash aid stopped or lowered are: failing to meet the work rules, failing to show up for work, tardiness, failing to follow procedures, failing to make satisfactory progress in my job, etc.
- ☐ If I do not meet the assignment rules, I have the right to give a good reason for not participating so I do not get sanctioned and have my cash aid lowered. The following are some good reasons for not meeting my participation rules or completing my assignment:
 - Lack of supportive services (such as childcare, transportation, tools, clothing required for the job, books, and other necessary job related costs).
 - Past or current victim of domestic abuse (such as physical, sexual, or psychological abuse).
 - The daily or weekly hours of work are more than the hours in my assignment agreement.
 - Acceptance of a full-time unsubsidized job.
 - The Welfare-to-Work Handbook that is part of my Welfare-to-Work Plan gives more information on reasons for not participating in my grant-based OJT assignment.
- ☐ I can file for a state hearing if I do not agree with any CWD action.

GRANT-BASED ON-THE-JOB TRAINING ASSIGNMENT

EMPLOYER'S NAME:

EMPLOYER'S ADDRESS:

SUPERVISOR'S NAME

SUPERVISOR'S PHONE NUMBER

LENGTH OF ASSIGNMENT:

DAILY WORK HOURS:

TOTAL HOURS OF WORK ASSIGNED PER WEEK:

HOURLY STARTING WAGE:

From _____ to _____

From _____ to _____

Amount that the CWD will pay to my employer: \$_____. The CWD will subtract this money from my grant, or if my grant is not enough, from the grant savings to the CWD caused by my wages.

I agree to tell my Welfare-to-Work worker of any changes to my work schedule as soon as possible, but no later than five (5) days after the change.

I understand that the employer will provide the following benefits:

- | | |
|---|--|
| <input type="checkbox"/> None | <input type="checkbox"/> Paid Holidays |
| <input type="checkbox"/> Health Insurance | <input type="checkbox"/> Dental Insurance Coverage |
| <input type="checkbox"/> Sick Leave | <input type="checkbox"/> Vacation |
| <input type="checkbox"/> Others _____ | |

CERTIFICATION

I understand the purpose of the grant-based OJT assignment is to give me work skills and help me find a job. I have read this form and its contents have been explained to me. I know that I must meet all my responsibilities as a Welfare-to-Work participant. I understand that I can ask my Welfare-to-Work worker if I have any questions.

I understand that I must tell my Welfare-to-Work worker right away of changes in my need for Welfare-to-Work supportive services or if I no longer need them. If I do not report the changes in advance, Welfare-to-Work may not be able to pay for them. I understand that if Welfare-to-Work pays for supportive services that are more than what I need to participate in Welfare-to-Work, I will have to pay Welfare-to-Work back.

I understand that if this is my first Welfare-to-Work activity and I want to ask for a change or be assigned to another activity, I have 30 days from the beginning date of my first activity to contact my worker.

If this is not my first activity, I understand that if I want to ask for changes to my Welfare-to-Work Plan, I have three (3) working days after my plan was completed or my plan was changed to contact my worker.

☐ **I do not wish to participate in a grant-based OJT assignment at this time.**

PARTICIPANT'S SIGNATURE

DATE

☐ **I want to volunteer for a grant-based OJT assignment.** I have read (*or had read to me*) and understand the information provided above and have received a signed copy of this form.

PARTICIPANT'S SIGNATURE

DATE

WELFARE TO WORK WORKER'S SIGNATURE

PHONE

DATE

You have the right to ask for a state hearing if you disagree with any of the decisions made by the county about participating in Welfare-to-Work.

EXAMPLES OF FAMILY INCOME (REGION 1)

These examples are to give you an idea of the differences in income between cash aid, a regular job, and grant-based on-the-job training (OJT) employment. The amount you receive will vary depending on your family size, how many hours you work, and how much other income you might receive.

Region 1 Assistance Unit Size = 2	Receive Cash Aid Only	Regular Job When Gross Wages Equals Cash Aid Amount	Grant-based OJT When Gross Wages Equals Cash Aid Amount
Cash aid for two people	\$584	\$584	\$584 is diverted to the employer
Monthly gross wage	N/A (does not apply)	\$584	\$584
Earned income disregard Gross wage less \$225	N/A	$\$584 - \$225 = \$359$	N/A
50% earned income disregard	N/A	$\$359 \div 2 = \179	N/A
Nonexempt income	N/A	\$179	\$584
Cash aid for two people	\$584	\$584	\$584
Less nonexempt income	N/A	-\$179	-\$584
Cash aid received	\$584	\$404	\$0
Net wages = gross wages less 8% for social security, Medicare, and SDI taxes	N/A	$\$584 - \$46 \text{ (taxes)} = \$538$	$\$584 - \$46 \text{ (taxes)} = \$538$
Total income	\$584	$(\$404 + \$538) = \$942$	\$538

Region 1 Assistance Unit Size = 3	Receive Cash Aid Only	Regular Job When Gross Wages Equals Cash Aid Amount	Grant-based OJT When Gross Wages Equals Cash Aid
Cash aid for three people	\$723	\$723	\$723 is diverted to the employer
Monthly gross wage	N/A	\$723	\$723
Earned income disregard Gross wage less \$225	N/A	$\$723 - \$225 = \$498$	N/A
50% earned income disregard	N/A	$\$498 \div 2 = \249	N/A
Nonexempt income	N/A	\$249	\$723
Cash aid for three people	\$723	\$723	\$723
Less nonexempt income	N/A	-\$249	-\$723
Cash aid received	\$723	\$474	\$0
Net wages = gross wages less 8% for social security, Medicare, and SDI taxes	N/A	$\$723 - \$57 \text{ (taxes)} = \$666$	$\$723 - \$57 \text{ (taxes)} = \$666$
Total income	\$723	$(\$474 + \$666) = \$1,140$	\$666

Region 1 Assistance Unit Size = 5	Receive Cash Aid Only	Regular Job When Gross Wages Equals Cash Aid Amount	Grant-based OJT When Gross Wages Equals Cash Aid
Cash aid for five people	\$980	\$980	\$980 is diverted to the employer
Monthly gross wage	N/A	\$980	\$980
Earned income disregard Gross wage less \$225	N/A	$\$980 - \$225 = \$755$	N/A
50% earned income disregard	N/A	$\$755 \div 2 = \377	N/A
Nonexempt income	N/A	\$377	\$980
Cash aid for five people	\$980	\$980	\$980
Less nonexempt income	N/A	-\$377	-\$980
Cash aid received	\$980	\$602	\$0
Net wages = gross wages less 8% for social security, Medicare, and SDI taxes	N/A	$\$980 - \$78 \text{ (taxes)} = \$902$	$\$980 - \$78 \text{ (taxes)} = \$902$
Total income	\$980	$(\$602 + \$902) = \$1,504$	\$902

EXAMPLES OF FAMILY INCOME (REGION 2)

These examples are to give you an idea of the differences in income between cash aid, a regular job, and grant-based on-the-job training (OJT). The amount you receive will vary depending on your family size, how many hours you work, and how much other income you might receive.

Region 2 Assistance Unit Size = 2	Receive Cash Aid Only	Regular Job When Gross Wages Equals Cash Aid Amount	Grant-based OJT When Gross Wages Equals Cash Aid
Cash aid for two people	\$555	\$555	\$555 is diverted to the employer
Monthly gross wage	N/A (does not apply)	\$555	\$555
Earned income disregard Gross wage less \$225	N/A	$555 - 225 = \$330$	N/A
50% earned income disregard	N/A	$330 \div 2 = \$165$	N/A
Nonexempt income	N/A	\$165	\$555
Cash aid for two people	\$555	\$555	\$555
Less nonexempt income	N/A	-\$165	-\$555
Cash aid received	\$555	\$390	\$0
Net wages = gross wages less 8% for social security, Medicare, and SDI taxes	N/A	$555 - \$44 \text{ (taxes)} = \511	$555 - \$44 \text{ (taxes)} = \511
Total income	\$555	$(\$390 + \$511) = \$901$	\$511

Region 2 Assistance Unit Size = 3	Receive Cash Aid Only	Regular Job When Gross Wages Equals Cash Aid Amount	Grant-based OJT When Gross Wages Equals Cash Aid
Cash aid for three people	\$689	\$689	\$689 is diverted to the employer
Monthly gross wage	N/A	\$689	\$689
Earned income disregard Gross wage less \$225	N/A	$689 - 225 = \$460$	N/A
50% earned income disregard	N/A	$460 \div 2 = \$230$	N/A
Nonexempt income	N/A	\$230	\$689
Cash aid for three people	\$689	\$689	\$689
Less nonexempt income	N/A	-\$230	-\$689
Cash aid received	\$689	\$459	\$0
Net wages = gross wages less 8% for social security, Medicare, and SDI taxes	N/A	$689 - \$55 \text{ (taxes)} = \634	$689 - \$55 \text{ (taxes)} = \634
Total income	\$689	$(\$459 + \$634) = \$1,093$	\$634

Region 2 Assistance Unit Size = 5	Receive Cash Aid Only	Regular Job When Gross Wages Equals Cash Aid Amount	Grant-based OJT When Gross Wages Equals Cash Aid
Cash aid for five people	\$934	\$934	\$934 is diverted to the employer
Monthly gross wage	N/A	\$934	\$934
Earned income disregard Gross wage less \$225	N/A	$934 - 225 = \$709$	N/A
50% earned income disregard	N/A	$709 \div 2 = \$354$	N/A
Nonexempt income	N/A	\$354	\$934
Cash aid for five people	\$934	\$934	\$934
Less nonexempt income	N/A	-\$354	-\$934
Cash aid received	\$934	\$579	\$0
Net wages = gross wages less 8% for social security, Medicare, and SDI taxes	N/A	$934 - \$74 \text{ (taxes)} = \860	$934 - \$74 \text{ (taxes)} = \860
Total income	\$934	$(\$579 + \$860) = \$1,439$	\$860

WAIVER OF CalWORKs LEARNING DISABILITIES SCREENING AND/OR EVALUATION

Go over this form very carefully with your county worker. Be sure to ask questions about anything you do not understand. If you do not want to be screened or evaluated for learning disabilities at this time, you will be asked to sign this form and be given a copy to keep.

Benefits of a Learning Disabilities Screening and Evaluation

It is very important to screen and evaluate you for possible learning disabilities. If we find you have a learning disability, we will be better able to help you decide what activity is best for you.

Getting a screening and evaluation for learning disabilities can help you find, keep, and advance in a job that is right for you. It can also help you do well in an education or training program. The screening and evaluation can also get you the kind of help and services you will need to meet the Welfare-to-Work rules. You may also be excused from Welfare-to-Work rules because your condition is so severe that it keeps you from regularly working or participating in Welfare-to-Work activities for 32 hours per week for a one-parent assistance unit or 35 hours per week for a two-parent assistance unit.

If You Do Not Want to Be Screened or Evaluated for Learning Disabilities at This Time:

1. You will not get any special treatment because of a learning disability until we know that you have one.
2. You will have to meet the Welfare-to-Work rules like any other person on CalWORKs who does not have a learning disability. If you do not meet the Welfare-to-Work rules, your cash aid and food stamps will be stopped or lowered. You can get them back again if you meet the rules or are excused from them.
3. You may change your mind and ask for a learning disabilities screening and evaluation **at any time**. If you are later found to have a learning disability, the county will get you the help and services you need starting from the date your worker discusses the evaluation findings with you and when you sign a new Welfare-to-Work Plan, if necessary.

I have the right to refuse to sign this form. If I refuse to sign this form, it is the same as having a signed form waiving a learning disability screening and/or evaluation on file. My Welfare-to-Work Plan will not include accommodations for a learning disability.

I have read this form and had it read to me. I understand the information on this form. At this time, I do not want the following (check as appropriate).

☐ Learning Disabilities Screening ☐ Learning Disabilities Evaluation

PRINTED NAME OF PARTICIPANT	SOCIAL SECURITY NUMBER
SIGNED NAME OF PARTICIPANT	DATE

NOTIFICATION OF INTERCOUNTY TRANSFER *Instructions: Workers should complete each space. If the information requested does not pertain to this case, indicate with N/A symbol.*

SENDING COUNTY NAME AND ADDRESS				CASE NAME		CASE NUMBER									
RECEIVING COUNTY				RECIPIENT ADDRESS		NUMBER/STREET CITY ZIP CODE									
<div style="background-color: #cccccc; text-align: center; padding: 2px;">DISCONTINUANCE DATES FOR TRANSFER</div> <div> <div style="display: flex; justify-content: space-between;"> <div>CalWORKs/RCA</div> <div>FS</div> </div> <div> <input type="checkbox"/> WAIVE 30 DAY ICT PROCESS: </div> </div>				RECIPIENT'S MAILING ADDRESS (IF DIFFERENT)											
<div style="background-color: #cccccc; text-align: center; padding: 2px;">WELFARE-TO-WORK PLAN</div> <div> <div style="display: flex; justify-content: space-between;"> <div>NAME</div> <div>DATE SIGNED</div> </div> <div style="border-bottom: 1px solid black; width: 100%;"></div> <div style="display: flex; justify-content: space-between;"> <div>WELFARE-TO- WORK COMPONENT</div> <div>DATE REFUSED TO SIGN</div> </div> <div style="border-bottom: 1px solid black; width: 100%;"></div> </div>				RECIPIENT'S PHONE NUMBER(S)		DATE MOVED									
<div style="background-color: #cccccc; text-align: center; padding: 2px;">WELFARE-TO-WORK PLAN</div> <div> <div style="display: flex; justify-content: space-between;"> <div>NAME</div> <div>DATE SIGNED</div> </div> <div style="border-bottom: 1px solid black; width: 100%;"></div> <div style="display: flex; justify-content: space-between;"> <div>WELFARE-TO- WORK COMPONENT</div> <div>DATE REFUSED TO SIGN</div> </div> <div style="border-bottom: 1px solid black; width: 100%;"></div> </div>				PAYEE'S NAME (IF DIFFERENT)		SSN									
<div style="background-color: #cccccc; text-align: center; padding: 2px;">OVERPAYMENTS TRANSFERRED</div> <table border="1" style="width:100%; border-collapse: collapse;"> <tr> <th style="width: 10%;">PROGRAM</th> <th style="width: 90%;">TYPE</th> </tr> <tr> <td>CalWORKs</td> <td> <input type="checkbox"/> IPV <input type="checkbox"/> Client-error <input type="checkbox"/> Agency <input type="checkbox"/> Mult. </td> </tr> <tr> <td>Food Stamps</td> <td> <input type="checkbox"/> IPV <input type="checkbox"/> Inadvertent HH <input type="checkbox"/> Agency <input type="checkbox"/> Mult. </td> </tr> <tr> <td>Other (Specify)</td> <td> <input type="checkbox"/> IPV <input type="checkbox"/> Client/Provider <input type="checkbox"/> Agency <input type="checkbox"/> Mult. </td> </tr> </table>				PROGRAM	TYPE	CalWORKs	<input type="checkbox"/> IPV <input type="checkbox"/> Client-error <input type="checkbox"/> Agency <input type="checkbox"/> Mult.	Food Stamps	<input type="checkbox"/> IPV <input type="checkbox"/> Inadvertent HH <input type="checkbox"/> Agency <input type="checkbox"/> Mult.	Other (Specify)	<input type="checkbox"/> IPV <input type="checkbox"/> Client/Provider <input type="checkbox"/> Agency <input type="checkbox"/> Mult.	PAYEE'S RELATIONSHIP TO AIDED CHILD(REN)			
PROGRAM	TYPE														
CalWORKs	<input type="checkbox"/> IPV <input type="checkbox"/> Client-error <input type="checkbox"/> Agency <input type="checkbox"/> Mult.														
Food Stamps	<input type="checkbox"/> IPV <input type="checkbox"/> Inadvertent HH <input type="checkbox"/> Agency <input type="checkbox"/> Mult.														
Other (Specify)	<input type="checkbox"/> IPV <input type="checkbox"/> Client/Provider <input type="checkbox"/> Agency <input type="checkbox"/> Mult.														
SUMMARY OF INCOME/PROPERTY															
NAME		SOURCE		AMOUNT		MONTH									
				\$											
				\$											
				\$											
<input type="checkbox"/> RESTRICTED ACCOUNT(S) BALANCE \$															
TIME LIMITS															
NAME:				NAME:											
NUMBER OF TANF MONTHS:				NUMBER OF TANF MONTHS:											
NUMBER OF CALWORKs MONTHS:				NUMBER OF CALWORKs MONTHS:											
CAL-LEARN CASE INFORMATION															
NAME _____				<input type="checkbox"/> SANCTION		<input type="checkbox"/> BONUS									
NAME _____				<input type="checkbox"/> SANCTION		<input type="checkbox"/> BONUS									
NAME _____				<input type="checkbox"/> SANCTION		<input type="checkbox"/> BONUS									
MFG															
NAME _____				<input type="checkbox"/> EXEMPT											
NAME _____				<input type="checkbox"/> EXEMPT											
NAME _____				<input type="checkbox"/> EXEMPT											
PRIOR NOTIFICATION DATE _____				FORM USED _____											
LATEST NOTIFICATION DATE _____				FORM USED _____											
DOCUMENTATION SENT															
<input type="checkbox"/> EXEMPTION (CW 2186B)				<input type="checkbox"/> PREGNANCY VERIFICATION											
<input type="checkbox"/> CA 1/SAWS 1				<input type="checkbox"/> RESTRICTED ACCOUNT											
<input type="checkbox"/> TIME LIMIT NOTICE (COPY BOTH SIDES)				<input type="checkbox"/> MFG EXEMPTION											
<input type="checkbox"/> DISABILITY VERIFICATION				<input type="checkbox"/> CW 2102 <input type="checkbox"/> CW 25/CW 25A											
<input type="checkbox"/> OP/OI RECORDS				<input type="checkbox"/> WTW PLAN											
<input type="checkbox"/> WTW 20															
<input type="checkbox"/> PE DETERMINATION NAME _____															
<input type="checkbox"/> OTHER (LIST) _____															
COMMENTS:															
CASE INFORMATION															
PRIOR MONTH		GRANT AMOUNT		CURRENT MONTH		GRANT AMOUNT									
		\$ _____				\$ _____									
		<input type="checkbox"/> EXEMPT MAP				<input type="checkbox"/> EXEMPT MAP									
DATE RCA TIME EXPIRES															
HOMELESS ASSISTANCE RECEIVED? <input type="checkbox"/> YES <input type="checkbox"/> NO DATE _____															

CalWORKs TIME LIMIT and WELFARE-TO-WORK PARTICIPATION EXEMPTION REQUEST FORM*PLEASE PRINT*

YOUR NAME		COUNTY USE ONLY	
ADDRESS STREET		COUNTY	
CITY	ZIP	CASE NAME	
PHONE ()		CASE NO.	OTHER ID NO.
QUESTIONS? ASK YOUR WORKER.		WORKER NAME	WORKER PHONE NO. ()

Most adults can only receive 60 months (5 years) of cash aid from the CalWORKs program. Unless exempt, an individual is required to participate in CalWORKs Welfare-to-Work activities as a condition for receiving aid.

INSTRUCTIONS TO THE CLIENT:

If you answer "Yes" to any of these questions, you may be exempt for a month or longer from the CalWORKs 60-month time limit and Welfare-to-Work participation. You may need to give information to help the county decide if you should be exempt. Please answer all of the questions. **The county cannot answer these questions for you. Please be sure to sign and date the back of this form.**

YES NO Welfare-to-Work Participation

- | | | |
|--------------------------|--------------------------|---|
| <input type="checkbox"/> | <input type="checkbox"/> | 1. Are you pregnant and does a doctor state that you cannot work or participate in Welfare-to-Work activities for 32 hours per week if you are a one-parent assistance unit or for 35 hours per week if you are a two-parent assistance unit? |
| <input type="checkbox"/> | <input type="checkbox"/> | 2. Are you the parent or caretaker of a child age _____ or under? (Depending on the County, you may be exempt if your child is 12 weeks old or under, six (6) months old or under, or 12 months old or under.) This exemption is available <u>only once</u> . |
| <input type="checkbox"/> | <input type="checkbox"/> | 3. If you have used exemption #2, have you recently become the parent or caretaker of another infant? (Depending on the County, you may be exempt for 12 weeks to 6 months.) |
| <input type="checkbox"/> | <input type="checkbox"/> | 4. Are you a full time volunteer in the Volunteers in Service to America (VISTA) Program? |

YES NO CalWORKs 60-Month Time Limit and Welfare-to-Work Participation Exemptions

- | | | |
|--------------------------|--------------------------|---|
| <input type="checkbox"/> | <input type="checkbox"/> | 5. Are you a 16-or 17-year old who has a high school diploma or its equivalent and is enrolled or planning to enroll in a educational, vocational or technical school training program? |
| <input type="checkbox"/> | <input type="checkbox"/> | 6. Are you physically or mentally unable to work or participate in a Welfare-to-Work activity for 32 hours per week if you are a one-parent assistance unit or for 35 hours per week if you are a two-parent assistance unit on a regular basis for at least 30 calendar days? Please provide any medical proof of your disability. |
| <input type="checkbox"/> | <input type="checkbox"/> | 7. Are you the nonparent caretaker of a child who is a dependent or ward of the court, or at risk of being placed in foster care? |
| <input type="checkbox"/> | <input type="checkbox"/> | 8. Do you need to stay home to take care of someone in the household who cannot take care of him/herself, which makes it hard for you to work or participate in a Welfare-to-Work activity? |
| <input type="checkbox"/> | <input type="checkbox"/> | 9. Are you eligible for, participating in, or exempt from Cal-Learn? You are not eligible for this exemption if you are 19 years old but are not participating in Cal-Learn as a volunteer. |
| <input type="checkbox"/> | <input type="checkbox"/> | 10. Are you living in Indian Country, as defined by federal law, in which 50 percent of the adults are unemployed? (This exemption applies only to the 60-month time limit, not the Welfare-to-Work participation exemption.) |

PLEASE READ THE BACK OF THIS FORM TO FIND OUT ABOUT MORE EXEMPTIONS.

CalWORKs TIME LIMIT and WELFARE-TO-WORK PARTICIPATION EXEMPTION REQUEST FORM (BACK)

Welfare-to-Work Participation Exemptions - You do NOT have to return this form for these exemptions.

You will not be required to participate in the Welfare-to-Work program if any of the reasons apply to you.

- You are under 16 years old.
- You are 16, 17, or 18 years old and in high school or adult school.
- You are 60 years or older.

CalWORKs 60-Month Time Limit Exemptions - You do NOT have to request these exemptions, on this form. You may contact your worker if any of these reasons apply to you.

A month of aid will not count against your 60-month time limit if any of the reasons listed below apply to you.

- You did not receive CalWORKs cash aid because your grant was less than \$10.
- Your cash grant is fully repaid by child support collection.
- You are only receiving supportive services such as child care, transportation, and case management.
- You are 60 years or older.

CalWORKs 60-Month Time Limit and Welfare-to-Work Participation Waivers

If you or a family member are a past or present victim of domestic abuse and the county determines that your condition or situation prevents or impairs your ability to be regularly employed or to participate in Welfare-to-Work activities, the county may waive the CalWORKs 60-month time limit and/or the Welfare-to-Work participation requirements. You do not have to complete this form to get a waiver to the time limits. You may contact your worker to request a domestic abuse waiver.

- You will be informed in writing whether or not you are exempt from the CalWORKs time limit and/or Welfare-to-Work participation and the reason why.
- You may be asked to give the county proof of your reason for requesting an exemption.
- If you do not agree with the county, you may ask for a State hearing.
- Depending on your situation, you may be evaluated each month to determine if you continue to be exempt.

YOUR SIGNATURE

DATE

Amend Section 11-501.3 (Handbook) to read:

11-501 INCOME MAINTENANCE RESPONSIBILITIES (Continued)

11-501

.3 County Standards

Where statutes or CDSS regulations authorize counties to adopt specific standards which affect an applicant's/recipient's eligibility or grant amount or welfare-to-work activities, including supportive services, such standards shall be in writing and shall be made available to the public upon request.

HANDBOOK BEGINS HERE

Examples of program requirements for which counties are to develop written standards include but are not limited to the following: (1) definition of what constitutes regular school attendance and good cause criteria, under Sections 40-105.5(a) and (f); (2) extending the ~~18-month time limit~~ and work exemption based upon caring for a young child, under Sections ~~42-710.12~~ and 42-712.47, respectively; (3) diversion program requirements, under Section 81-215.32; (4) child care for other required activities or for children not in the AU, under Sections 47-201.12 and 47-401.45; and (5) continuing case management services and/or supportive services for former recipients, under Section 42-717.1.

HANDBOOK ENDS HERE

Authority Cited: Sections 10553 and 10554, Welfare and Institutions Code.

Reference: Sections 10553, 10554, and 10603, Welfare and Institutions Code.

Amend Section 42-302 to read:

42-302 60-MONTH TIME LIMIT REQUIREMENTS FOR ADULTS

42-302

.1 60-Month Time Limit (Continued)

.11 Exceptions (Continued)

.114 Unable to Maintain (Continued)
 Employment or
 Participate

(a) (Continued)

(1) (Continued)

(A) For purposes of this section, a sanction received while the individual was a volunteer in the CalWORKs welfare-to-work program pursuant to MPP Sections 42-712.51 or ~~42-712.52~~, or an aid recipient in another state shall not be considered a welfare-to-work sanction. (Continued)

(b) (Continued)

(1) (Continued)

(A) (Continued)

HANDBOOK BEGINS HERE

Example of an individual who is able to maintain employment and is participating for less than the required 32 or 35 hours per week: Due to a business slowdown, a recipient, who has received 58 countable months of aid, had her hours of unsubsidized employment reduced from ~~35~~8 hours to ~~20~~5 hours per week. ~~The recipient has reached her 24-month time limit and must participate in community service. However, an~~ Another appropriate community service placement welfare-to-work activity including, but not limited to

job search, that would allow her to meet the 32- or 35-hour per week participation requirement and is consistent with her plan, does not become available before the recipient, whose job as a Retail Clothing Sales Clerk is consistent with her Welfare-to-Work participation and employment goal, reaches her 60-month time limit. Although the recipient is not participating for the required number of hours, she is not subject to a sanction and is considered able to maintain employment. (Continued)

HANDBOOK ENDS HERE

(2)

(Continued)

.3 Requesting Exemptions/Exceptions

An applicant or a recipient can request an exemption/exception verbally or in writing. When a recipient states that s/he meets a condition that qualifies as an exemption to the ~~18 or 24~~ and/or 60-month time limit, as specified in MPP Sections 42-712 and 42-302.21 or an exception to the 60-month time limit as specified in 42-302.11, the county shall document the request and provide the recipient with an exemption/exception request form, if necessary to complete the request. (Continued)

.31 Exemption/Exception Request Form

The form to request an exemption or exception shall include, but is not limited to, the following:

(a)

A description of the exemptions to the CalWORKs ~~18 or 24 month time limit,~~ provided in MPP Section 42-712, the 60-month time limit, provided in MPP Section 42-302.21, and a description of the 60-month time limit exceptions, provided in MPP Section 42-302.11. (Continued)

Authority Cited: Sections 10553, 10554, and 11369, Welfare and Institutions Code.

Reference: Sections 11266.5, 11454, 11454(e) and (e)(5), 11454.5, 11454.5(b) and (b)(4) and (5), and 11495.1, Welfare and Institutions Code, Section 37 of AB 444 (Chapter 1022, Statutes of 2002); and 42 U.S.C. 608(a)(7)(a), (B) and (D).

Amend Section 42-701 to read:

42-701 INTRODUCTION TO WELFARE-TO-WORK

42-701

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.1 Background

~~AB 1542, Chapter 270, Statutes of 1997, established the~~ The California Work Opportunity and Responsibility to Kids (CalWORKs) Act of 1997 became operative in 1998. The Welfare-to-Work Program is the employment and training aspect of CalWORKs that replaces the previous Greater Avenues for Independence (GAIN) program. Welfare-to-Work is a comprehensive statewide employment program designed to enable participants to achieve self-sufficiency through employment. (Continued)

- (c) ~~Limited time on aid without working. Unless exempt, recipients will be required to work or participate in community service after 18 to 24 months on aid. Mandatory core welfare-to-work participation hours. Unless exempt, adult recipients are required to participate in at least a minimum average of 20 hours per week of core welfare-to-work activities. The balance of their 32- or 35-hour per week participation requirement shall be spent in either core or non-core activities. All welfare-to-work activities will be assigned based upon the recipient's assessment and will aid recipients in obtaining employment.~~ (Continued)

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.2 Definitions for Terms Used in This Chapter (Continued)

- (c) (1) (Continued)

- (4) "Core Welfare-to-Work Activities" means any of the following welfare-to-work activities: unsubsidized employment, subsidized private sector employment, subsidized public sector employment, work experience, on-the-job training, grant-based on-the-job training, supported work or transitional employment, work study, self-employment, community service, vocational education and training programs for up to 12 cumulative months (pursuant to Section 42-716.211), and job search and job readiness assistance. Adult basic education, job skills training directly related to employment, satisfactory progress in a secondary school or in a course of study leading to a certificate of general education development, education directly related to employment, and mental health, substance abuse, and domestic abuse services can count as core hours pursuant to Section 42-716.23.

- (45) (Continued)

(§6) (Continued)

- (n) (1) Reserved "Non-core Welfare-to-Work Activities" means any of the following welfare-to-work activities: adult basic education, job skills training directly related to employment, education directly related to employment, satisfactory progress in a secondary school or in a course of study leading to a certificate of general educational development, mental health, substance abuse, domestic abuse services, vocational education and training programs beyond the 12-month limit, other activities necessary to assist an individual in obtaining unsubsidized employment, and participation required of the parent by the school to ensure the child's attendance.
- (o) (Continued)
- (u) (1) Reserved "Universal Engagement" means non-exempt individuals are required to participate in welfare-to-work activities by signing a welfare-to-work plan within the time frames specified in Section 42-711.62.
- (v) (1) (Continued)

Authority Cited: Sections 10531, 10553, and 10554, Welfare and Institutions Code.

Reference: Sections 10063, 10800, 11320, 11320.3(b)(3)(A), 11322.6, 11322.8(c), (d), and (e), 11322.9, 11324.6, 11324.8, 11325.21, 11331.5, 11495, 11495.1, 11495.12, and 13280, Welfare and Institutions Code; and Sections 15365.50 and 15365.55, Government Code; and 42 U.S.C. 603(A)5.

Repeal Section 42-710:

~~42-710~~ ~~18-AND 24-MONTH TIME LIMITS~~

~~42-710~~

~~1~~ Except as otherwise provided in these regulations, a parent or caretaker relative, whose beginning date of aid is in the month that the CalWORKs Welfare to Work Program is implemented in the county, or thereafter, is not eligible to receive aid for a cumulative period of more than 18 months, unless: 1) it is certified by the CWD that there is no job currently available for the recipient as specified in Section 42-710.5; and 2) the recipient works in unsubsidized employment and/or participates in unpaid community service, grant-based OJT community service, and/or WtW Grant program work experience, and activities required under Sections 42-711.93, .94, and .96, for the required minimum hours in accordance with Section 42-711.4.

~~.11~~ The time limit period starts on the date the recipient signs, or refuses to sign without good cause, a welfare to work plan described in Section 42-711.6 et seq.

~~.12~~ The CWD shall adopt criteria for extending the 18-month time limit for up to six months.

~~.121~~ The criteria adopted by the CWD shall be used to determine if:

(a) an extension is likely to result in unsubsidized employment; or

(b) employment is not available due to local employment rates or economic conditions.

~~.122~~ In determining whether an extension should be granted because it is likely to result in unsubsidized employment or because employment is not available, the CWD also may consider criteria related to the employability of the individual and other relevant factors.

~~2~~ Except as otherwise provided in these regulations, a parent or caretaker relative, who was receiving aid in the month prior to implementation of the Welfare to Work Program in the county, is not eligible to receive aid for a cumulative period of more than 24 months, unless: 1) it is certified by the CWD that there is no job currently available for the recipient as specified in Section 42-710.5; and 2) the recipient works in unsubsidized employment and/or participates in unpaid community service, grant-based OJT community service, WtW Grant program community service, and/or WtW Grant program work experience, and activities required under Sections 42-711.93, .94, and .96, for the required minimum hours in accordance with Section 42-711.4.

~~.21~~ The time limit period starts on the date the recipient signs, or refuses to sign without good cause, a welfare to work plan described in Section 42-711.6 et seq.

- ~~.22 The provisions of Section 42-710.2 apply to a parent or caretaker relative who was receiving aid in the month prior to implementation of the Welfare-to-Work Program in the county, even if the individual has had an intervening break in aid.~~
- ~~.3 A parent or caretaker relative recipient who has reached the 18- or 24-month time limit, who is working in unsubsidized employment for less than the required minimum hours, and for whom no job is currently available as specified in Section 42-710.5 for the required number of hours, shall remain eligible for aid by participating in unpaid community service, grant-based OJT community service, WtW Grant program community service, and/or WtW Grant program work experience, and activities required under Sections 42-711.93, .94, and .96, for the additional number of hours necessary to meet the participation requirements in accordance with Section 42-711.4.~~
- ~~.31 If an individual has received aid for a cumulative period of more than 18- or 24 months, as specified in Section 42-710.1 or .2, as applicable, and returns to aid after a break in aid of at least one month, the CWD shall determine whether to require the individual to participate in community service in accordance with Section 42-711.9 or in welfare-to-work activities described in Section 42-716.~~
- ~~.4 No month in which aid has been received prior to January 1, 1998 shall be taken into consideration in computing the required 18- or 24-month time limits.~~
- ~~.5 For purposes of these time limits, "no job is currently available" means that the recipient has taken and continues to take all the steps to apply for appropriate positions and has not refused an offer of employment without good cause.~~
- ~~.6 A month of receipt of aid shall not count toward the 18- or 24-month time limit period when it is a month in which the individual is:~~
- ~~.61 Not required to participate in welfare-to-work activities because he/she is exempt from participation, in accordance with Section 42-712 et seq., and the condition is expected to last for at least 30 days;~~
- ~~.62 Required to participate in, participating in, or exempt from the Cal Learn Program, in accordance with Section 42-712.11.~~
- ~~.63 Sanctioned and removed from the assistance unit in accordance with Section 42-721.4, or;~~
- ~~.64 Participating in an approved SIP and participation is interrupted for good cause. (See Section 42-711.546.)~~
- ~~.65 Identified as a past or present victim of domestic abuse and the county has waived the time limit as described in Section 42-713.221.~~

~~.66 A reunification parent pursuant to the temporary absence/family reunification provisions of Section 82-812.68.~~

~~Authority Cited: Sections 10553, 10554, and 10604, Welfare and Institutions Code.~~

~~Reference: Sections 10532(e)(2), 11203, 11320.1(e) and (d), 11320.3(a) and (b), 11322.6(f), 11322.9, 11325.21, 11325.23(e), 11325.4, 11327.5(e), 11454, 11454.5(a), 11495.1, and 16501.1(d) and (f)(11), Welfare and Institutions Code.~~

Amend Section 42-711 to read:

42-711 WELFARE-TO-WORK PARTICIPATION REQUIREMENTS

42-711

.1 Program Information for Applicants (Continued)

.11 At the time an individual applies for aid or at the time a recipient's eligibility for aid is determined, the CWD shall do the following: (Continued)

.112 Provide the individual, in writing and orally as necessary, with information including: (Continued)

(b) A description of the core and non-core welfare-to-work activities, the core requirement, and when the non-core activities may count toward the core requirement.

(bc) (Continued)

.4 Hours of Participation

.41 Adult in One-Parent Assistance Unit

.411 Unless exempt from participation, an adult recipient in a one-parent assistance unit shall participate each month in welfare-to-work activities for a minimum average per week of 32 hours.

(a) A minimum average of 20 hours per week of participation must be in one or more core welfare-to-work activities, as specified in Section 42-716.2.

.412 (Continued)

.42 Adult(s) in Two-Parent Assistance Unit

.421 Unless exempt from participation, an adult recipient in a two-parent assistance unit whose basis for aid is unemployment shall participate each month in welfare-to-work activities for an minimum average per week of at least 35 hours per week in welfare-to-work activities that will meet the hours of participation required under federal law.

(a) A minimum average of 20 hours per week of participation must be in one or more core welfare-to-work activities, as specified in Section 42-716.2.

(ab) ~~However, b~~Both parents in a two-parent assistance unit may contribute toward the 35-hour requirement, if at least one parent's participation

~~meets the federal hourly work requirement of~~ is a minimum average of
20 hours per week.

- (1) If both parents contribute to meeting the 35-hour participation requirement, the parents may split the 20-hour per week participation requirement for core welfare-to-work activities.

.422 (Continued)

.5 Assignment of Recipients to Welfare-to-Work Activities (Continued)

.52 Appraisal (Continued)

.522 Prior to or during the appraisal, the CWD shall inform the individual in writing of the following:

- (a) The requirement to participate in available welfare-to-work activities; ~~and a general description of the time limits in Section 42-710 up to the time limit specified in Section 42-716.11 and for the required number of participation hours pursuant to Sections 42-716.2, .21, and .22.~~
(Continued)

- (d) A statement that the participant has the following grace periods:

- (1) Three (3) working days after the completion of the welfare-to-work plan or subsequent amendments to the plan to evaluate, and request changes to, the terms of the plan, pursuant to Section 42-711.6346.
- (2) Thirty (30) days from the beginning of the initial training or education assignment activity to request a change or reassignment to another activity, pursuant to Section 42-711.6347. (Continued)

.54 Self-Initiated Programs (SIPs)

.541 Except as provided by Section 42-711.542, any recipient who is required to participate in welfare-to-work activities in accordance with Section 42-712.1, may continue in an undergraduate degree or certificate program that leads to employment ~~for the 18 or 24 month time periods specified in Section 42-710, as applicable, in accordance with Section 42-716.11, if:~~ (Continued)

.543 A program will be determined to lead to employment if it is on a list of programs that the CWD and local education agencies or providers agree lead to employment: (Continued)

- (b) For recipients whose program is not on the list, the CWD shall determine if the program leads to employment.

- (1) The recipient shall be allowed to continue in the program ~~within the 18 or 24 month time period specified in Section 42-710 up to the time period specified in Section 42-716.11,~~ if the recipient demonstrates to the CWD that the program will lead to self-supporting employment for that recipient and the documentation is included in the welfare-to-work plan. (Continued)

.544 If participation in a SIP, as determined by the number of hours required for classroom, laboratory, or internship activities, is not at least 32 hours, the CWD shall require concurrent participation in work activities, pursuant to Sections 42-716.431(a) through (j), inclusive and in accordance with Section 42-711.5, to reach the 32-hour requirement. (Continued)

.546 Any person whose previously approved SIP is interrupted for reasons that meet the good cause criteria in Section 42-713.2 may resume participation in the same program if the participant maintained good standing in the program while participating and the SIP continues to meet the approval criteria.

- (a) ~~The CWD shall adjust the completion date of the program, accounting for the time of absence to allow the participant a cumulative time frame of 18 or 24 months as specified in Section 42-710.~~

.547 Any recipient may continue until the beginning of the next educational semester or quarter break, in his or her educational program that does not meet the criteria of Section 42-711.541, if (Continued)

.548 At the time the educational break occurs as provided in Section 42-711.547, the individual is required to participate in welfare-to-work activities pursuant to Section 42-711.51.

- (a) ~~The time spent in the educational program will count toward the time limits specified in Section 42-710.~~

- (ba) A recipient, described under Section 42-711.547, who is not expected to complete the program by the next break, may continue his or her education ~~under the time frames in Section 42-710,~~ provided: (Continued)

.55 Assessment

.551 Participants, except those excluded as provided in Sections 42-711.31, 42-711.557, 42-711.558, and 42-719.111, shall be referred to assessment, if:

- (a) They do not obtain unsubsidized employment with sufficient hours to meet the minimum hours of participation required under Sections 42-711.411 or .421; (Continued)

.552 Participants who are employed in unsubsidized employment with sufficient hours to meet the minimum hours of participation required under Sections 42-711.411 or .421, shall be referred to assessment if they wish to participate in additional welfare-to-work activities listed in Section 42-716.31. If they do not wish to participate in additional welfare-to-work activities, they may opt out of an assessment and only receive necessary supportive services.

- (a) These individuals shall be informed that if they choose to go to assessment, they will be required to sign a welfare-to-work plan and their ~~18 to 24 month time period~~ will begin. (Continued)

.58 Evaluation (Continued)

.581 Based upon the results of the evaluation, the CWD may refer the participant, as appropriate, to any of the following:

- (a) Any of the welfare-to-work activities described in Section 42-716.431 including referrals to the participant's previous activities.

.6 Welfare-to-Work Plan and Universal Engagement

.61 After assessment, or a determination by the county child welfare services agency that CalWORKs services are necessary for family reunification, any recipient of aid or reunification parent pursuant to Section 82-812.68 who is required or who volunteers to participate in welfare-to-work activities shall enter into a written welfare-to-work plan with the CWD as soon as administratively feasible, but no later than the time frame specified in Section 42-711.62 for non-exempt individuals. However, the county may elect to utilize a reunification plan as defined in Section 80-301(r)(5) in lieu of the welfare-to-work plan when all of an individual's welfare-to-work activities and services are provided as a component of a reunification plan under the temporary absence/family reunification provisions of Section 82-812.68. If the county uses the family reunification (FR) plan in lieu of the WTW welfare-to-work plan the county shall inform the individual, in writing, regarding his/her eligibility for CalWORKs family reunification services, and include a reference to the FR plan and the county child welfare service agency.

.611 The plan shall include the activities and services, to be provided pursuant to Section 42-716, that will move the participant into employment and toward self-sufficiency. (Continued)

.62 Except as specified in Sections 42-711.621 and .622, a non-exempt individual shall enter into his or her welfare-to-work plan after assessment, but no more than 90 days

after the date that the individual's eligibility for aid is initially determined or the date that the individual is required to participate in welfare-to-work activities pursuant to Sections 42-711.623(c) or (d), unless the individual meets an exemption criterion as specified in Section 42-712.4 or is otherwise not required to sign a welfare-to-work plan.

.621 The individual may enter into his or her welfare-to-work plan with the CWD as late as 90 days after the completion of job search if job search, as defined in Sections 42-701.2(j)(2) and (3), and as specified in Section 42-711.53, is initiated within 30 days after the individual's eligibility for aid is determined or the date the individual is required to participate pursuant to Section 42-711.623.

(a) Job search is considered to be "initiated" when an individual begins attending an allowable job search activity.

.622 The 90-day period specified in Section 42-711.62 and the 30-day period specified in Section 42-711.621 do not include the following:

(a) Time in good cause, compliance, and sanctioning processes pursuant to Section 42-721, including the participation time in activities to end a sanction.

(1) "Time in good cause" pursuant to Section 42-711.622(a) includes time when the individual notifies the county in advance that he or she cannot attend an assigned activity and the county determines that the individual has good cause.

(b) Time between the date a learning disability evaluation appointment is scheduled and the date the county receives the final report, up to a maximum of 90 days. After the final report from the learning disability evaluator is received by the county, or on the 91st day if the final report has not been received, the 30- and 90-day periods resume.

.623 Except for Sections 42-711.621 and .622, the 90-day and 30-day time frames start as follows:

(a) The date of the notice of action that informs a non-exempt individual of his or her initial eligibility for aid when he or she is eligible for aid on the date of application.

(b) The date a non-exempt individual begins receiving aid when the individual is initially ineligible for aid on the date of application and the county has determined that he or she will be eligible for aid within 60 days in accordance with Section 40-171.11.

- (c) The date an individual is required to participate in welfare-to-work activities when he or she has been receiving aid but was not required to have a welfare-to-work plan developed and the county knows this date in advance.
- (d) The date the county learned an individual is required to participate in welfare-to-work activities when he or she has been receiving aid but was not required to have a welfare-to-work plan and the county does not know this date in advance, but no longer than 30 days from the date the individual was required to participate.

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- .624 Example 1: An individual, upon receipt of aid, was granted a 6 month exemption from welfare-to-work participation due to the birth of a child; therefore, she will not be required to sign a welfare-to-work plan until after her exemption ends on June 15. The county must develop, and have the individual sign, a welfare-to-work plan no later than 90 days from June 16 pursuant to Section 42-711.623(c).
- .625 Example 2: An individual's 90-day period in which the county must develop her welfare-to-work plan begins on the date she is eligible for aid. Forty days into the 90-day period she is diagnosed with a medical condition and is exempted from participation for four months, until November 5. The county must develop, and have the individual sign, a welfare-to-work plan no later than 90 days from November 6 pursuant to Section 42-711.623(c).
- .626 Example 3: An individual's 90-day period in which the county must develop his welfare-to-work plan begins the date he is eligible for aid. Thirty days into the 90-day period, and prior to assessment, the individual finds a job and begins participating for a sufficient number of hours of unsubsidized employment to meet the work participation requirement and is not required to sign a welfare-to-work plan. Six months later the individual loses his job, through no fault of his own, and is required to sign a plan. The county has 90 days to develop, and have the individual sign, a welfare-to-work plan, pursuant to Section 42-711.623(c) or (d), depending on the date the county learns of the individual's job loss.
- .627 Example 4: An individual has been receiving aid for two years. Prior to assessment she was participating in sufficient hours of unsubsidized employment to meet her work participation requirement and not required to sign a welfare-to-work plan. During the county's monthly monitoring of the individual's participation, on June 8, the county discovered that she lost her job on May 27. Because the county learned of the individual's job loss within 30 days of its occurrence, the county has up to 90 days from June 8, to develop,

and have the individual sign, a welfare-to-work plan pursuant to Section 42-711.623(d).

.628 Example 5: Identical circumstances as in Example 4, except that the individual lost her job on April 27. Because the county learned of the individual's job loss after the 30-day period, the county has up to 90 days from May 27 to develop, and have the individual sign, a welfare-to-work plan pursuant to Section 42-711.623(d).

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.623 A participant shall take part in one or more welfare-to-work activities, as defined in Section 42-716, for the required minimum hours as specified in Section 42-716.2 and provided in the welfare-to-work plan until he or she has reached the 18 or 24-month time limit. (Continued)

.634 (Continued)

.6341 (Continued)

.6342 (Continued)

(a) The plan shall also address school attendance of all children in the assistance unit for whom school attendance is compulsory, as specified in Section 40-105.5, and identify any participation required of the parent by the school to ensure the child's attendance. Such participation hours by the parent shall count toward the required hours of participation as defined specified in Sections 42-711.411 or .421, and as non-core hours as allowed under Section 42-716.22.

(b) The plan shall outline how hours of participation in core and/or non-core welfare-to-work activities satisfy the participation requirements pursuant to Section 42-716.2.

.6343 (Continued)

.6344 If the CWD determines it to be appropriate and necessary for the removal of the participant's barriers to employment, an individual who lacks basic literacy or mathematics skills, a high school diploma or general educational development certificate, or English language skills, shall be assigned to participate in adult basic education as specified defined in Section 42-716.4431(k).

.6345 (Continued)

.6346 (Continued)

.6347 (Continued)

.6348 (Continued)

.645 (Continued)

.7 Reappraisal

.71 The CWD shall conduct a reappraisal of any participant who does not obtain unsubsidized employment upon completion of all activities in his or her welfare-to-work plan, ~~unless the participant has reached the 18- or 24-month time limit.~~ The reappraisal shall evaluate whether there are extenuating circumstances, as defined by the CWD, that prevent the participant from obtaining employment within the local labor market area. (Continued)

.712 If extenuating circumstances do not exist, and until the CWD reverses this determination ~~or the participant reaches the 18- or 24-month time limit,~~ the participant ~~is required to~~ must participate ~~for the required minimum hours in~~ activities that are limited to the following: (Continued)

(b) Work experience as defined in Section 42-701.2(w)(43). (Continued)

(e) Mental health, substance abuse, and/or domestic abuse services in accordance with Sections 42-716.54, 42-716.65, and 42-716.4431(q), respectively. (Continued)

.9 ~~Community Service After Time Limits~~

~~.91 The participant shall remain eligible for aid only if he or she works in unsubsidized employment and/or participates in unpaid community service, grant-based OJT community service, WtW Grant program community service, and/or WtW Grant program work experience, and activities required under Sections 42-711.93, .94, and .96, to meet the required minimum hours in accordance with Section 42-711.4 if:~~

~~.911 The participant has reached the 18-month time limit (and exhausted any extension granted) or the 24-month time limit, as applicable;~~

~~.912 The participant has not found unsubsidized employment sufficient to meet the required minimum hours of participation; and~~

~~.913 The CWD has certified that no job is currently available for the participant, in accordance with Section 42-710.5.~~

~~.92 For participants who have reached the 18- or 24-month time limits, the CWD shall provide community service activities and provide supportive services as described in~~

~~Section 42-716.4. The changes to the activities and supportive services shall be reflected in an amended welfare-to-work plan.~~

- ~~.921 A participant may take part in community service activities until he or she has received aid for a total of 60 months.~~
- ~~.93 Participants whose assistance units include food stamp recipients shall participate in unpaid community service activities for the number of hours each month that is the lesser of the two following equations:~~
 - ~~.931 The number of hours required by Section 42-711.4, less the number of hours spent in unsubsidized employment, grant-based OJT community service, WtW Grant program paid community service, and/or WtW Grant program paid work experience; or,~~
 - ~~.932 The number of hours, determined collectively for the assistance unit, equal to the CalWORKs assistance unit's grant plus the assistance unit's portion of the food stamp allotment divided by the higher of the state or federal minimum wage. If all or a portion of the CalWORKs assistance unit's grant has been diverted to an employer pursuant to Section 42-701.2(g)(2) and Section 42-716.111(f), only that portion, if any, received as a grant and the assistance unit's portion of the food stamp allotment shall be used in this calculation.~~
- ~~.94 Participants whose assistance units do not include food stamp recipients shall participate in unpaid community service activities for the number of hours each month that is the lesser of the two following equations:~~
 - ~~.941 The number of hours required by Section 42-711.4, less the number of hours spent in unsubsidized employment, grant-based OJT community service, WtW Grant program paid community service, and/or WtW Grant program paid work experience; or,~~
 - ~~.942 The number of hours, determined collectively for the assistance unit, equal to the grant received by the CalWORKs assistance unit divided by the higher of the state or federal minimum wage. If all or a portion of the CalWORKs assistance unit's grant has been diverted to an employer pursuant to Section 42-701.2(g)(2) and Section 42-716.111(f), only that portion, if any, received as a grant shall be used in this calculation.~~
- ~~.95 The monthly amount in Sections 42-711.93 and .94 shall be considered to have been met by participation in an average weekly number of hours determined by dividing the monthly amount by 4.33 (average number of weeks per month).~~
- ~~.96 Participants whose hours of participation in unpaid community service activities are determined pursuant to Section 42-711.932 or .942 and do not meet the participation requirement specified in Section 42-711.4 shall participate in other welfare-to-work~~

~~activities for the additional number of hours necessary to satisfy the participation requirement.~~

- ~~.97 Any individual required to participate in a community service activity who fails to comply with program requirements without good cause shall be sanctioned in accordance with Section 42-721.4.~~
- ~~.98 See Section 42-710.31 for circumstances under which the CWD may require the individual to participate in welfare-to-work activities other than community service.~~

Authority Cited: Sections 10553, 10554, and 10604, Welfare and Institutions Code.

Reference: Sections 11203, 11253.5(b), 11320.1, 11320.1(c), 11320.15, 11320.3, 11322.6, 11322.8, ~~11322.9~~, 11324.8(a) and (b), 11325.2, 11325.21, 11325.22, 11325.23(a), (b), (c), (e), and (f), 11325.25, 11325.4, 11325.5, 11325.6, 11325.7, 11325.8, 11326, 11327.4 and .5, 11454(a), 15204.2 and .8, and 16501.1(d) and (f), Welfare and Institutions Code; and 42 U.S.C. 607(c)(1)(A), (c)(1)(B)(ii), and (c)(2)(A)(i); 7 U.S.C. 2029(a)(1); 7 U.S.C. 2035; U.S. Department of Labor guidance on FLSA, with attached U.S.D.A., Food and Nutrition Service (FNS) guidance on an SFSP, dated May 22, 1997; and Simplified Food Stamp Program approval letters from FNS to implement the provisions of an SFSP, dated May 5, 2000 and August 3, 2000.

Amend Section 42-712 to read:

42-712 EXEMPTIONS FROM WELFARE-TO-WORK PARTICIPATION 42-712
(Continued)

.5 Any individual who is not required to participate may volunteer to participate in welfare-to-work activities and may end that participation at any time without loss of eligibility for aid, provided his or her status has not changed in a way that requires participation.

.51 ~~An individual who is exempt but who volunteers to participate, is not subject to the 18 or 24 month time limits described in Section 42-710, provided his or her status has not changed in a way that requires participation. For purposes of Section 42-712.5, a volunteer participant is as follows:~~

.511 An individual who is exempt pursuant to Sections 42-712.41 through .49, but who volunteers to participate; or

.512 An individual who is not required to participate for reasons other than the exemptions described in Sections 42-712.41 through .489, but who volunteers to participate, is subject to the 18 or 24 month time limits described in Section 42-710.

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.521 (a) For example, in a two-parent assistance unit, whose basis for aid is unemployment, the second parent is not required to participate when the first parent is meeting the required participation hours but may participate as a volunteer. ~~However, if the second parent chooses to participate, he/she is subject to the 18 or 24 month time limits.~~

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.6 ~~The impact of exemptions on the 18 or 24 month time limit is found at Section 42-710.6.~~

.76 (Continued)

.761 (Continued)

.762 (Continued)

.763 (Continued)

Authority Cited: Sections 10553, 10554, 10604, and 11369, Welfare and Institutions Code.

Reference: Sections 10553, 10554, 10063(b), 11253.5, 11320, 11320.3, 11331.5(a), (b), (c), and (d), 11454, and 11454.5, Welfare and Institutions Code; and 42 U.S.C. 5044(f)(2).

Amend Section 42-713 to read:

42-713 GOOD CAUSE FOR NOT PARTICIPATING (Continued)

42-713

.2 Conditions that may be considered good cause for not participating in welfare-to-work activities include, but are not limited to, any of the following: (Continued)

.22 The applicant or recipient is a victim of domestic abuse.

.221 CalWORKs Program requirements, including the time limits on receipt of assistance described in Sections ~~42-710~~ and 42-3002, and welfare-to-work requirements described in Section 42-711 may be waived, except as specified in Section 42-715.511, for an individual who is a victim of domestic abuse (as defined in Section 42-701.2(d)(3)) on a case-by-case basis, but only for as long as domestic abuse prevents the individual from obtaining employment or participating in welfare-to-work activities, in accordance with Section 42-715. (Continued)

.4 An individual who is excused from welfare-to-work participation for good cause is subject to ~~the 18- or 24-month time limits described in Section 42-710~~ and the 60-month time limit in Section 42-302.

.41 A CWD may waive the ~~18- or 24-month and/or~~ 60-month time limits for victims of domestic abuse as provided in Section 42-713.221(a).

~~.42 An individual who has good cause for an interruption in participating in a SIP may have their 18- or 24-month time limits adjusted as provided in Section 42-711.546.~~

Authority Cited: Sections 10553, 10554, and 10604, Welfare and Institutions Code.

Reference: Sections 11320.3(b) and (f), 11323.2, 11325.23(c), 11454, 11454.5, 11495, and 11495.1, Welfare and Institutions Code; 42 U.S.C. 607(e)(2); and 45 CFR 261.15.

Amend Section 42-715.512(a) to read:

42-715 DOMESTIC ABUSE PROTOCOLS AND TRAINING STANDARDS 42-715
(Continued)

.5 Waiver of Program Requirements

.51 A county may waive any program requirement, except as specified in Section 42-715.511, for a recipient who has been identified as a past or present victim of domestic abuse when it has been determined that good cause exists, as specified in Section 42-713.22. (Continued)

.512 Program requirements that may be waived include, but are not limited to:

(a) Time limits on receipt of assistance; (Continued)

.52 (Continued)

Authority Cited: Sections 10553 and 10554, Welfare and Institutions Code.

Reference: Sections 11454, 11495, 11495.15, 11495.25 and 11495.40, Welfare and Institutions Code.

Amend Section 42-716 to read:

42-716 WELFARE-TO-WORK ACTIVITIES

42-716

- .1 Upon the completion of job search activities, or a determination that those activities are not required as an initial activity, the participant shall be assigned to one or more welfare-to-work activities pursuant to Section 42-716.31, as needed to obtain employment.

.11 Individuals may participate in activities pursuant to Section 42-716.2 for up to the 60-month time limit in accordance with Section 42-302, as long as participation is consistent with their assessments under Section 42-711.55 and/or in accordance with their welfare-to-work plan under Section 42-711.6, or reappraisal under Section 42-711.7.

- .2 Except for exempt individuals, individuals who are enrolled in self-initiated programs in accordance with Section 42-711.54, individuals who have been granted domestic abuse waivers in accordance with Section 42-715.5, individuals receiving family reunification services in accordance with Section 42-711.61, or 19-year-old custodial parents without a high school diploma in accordance with Section 42-711.31, to fulfill participation requirements:

.21 An individual must participate for a minimum average of 20 hours per week in one or more core activities, as described in Sections 42-716.31(a) through (j), (m), and (n).

.211 Participation in vocational education and training programs pursuant to Section 42-716.31(m) may only count as a core activity for a cumulative total of 12 months during an individual's 60-month time limit on aid.

(a) This 12-month limit begins on the first day of the month in which an individual begins vocational education and training as part of a welfare-to-work plan signed on or after December 1, 2004.

(1) A month in which an individual participates in at least an average of 20 hours of core activities per week as described in Sections 42-716.31(a) through (j), and (n), shall not count toward the 12-month limit on counting vocational education and training as a core activity, when the individual is also assigned to vocational education and training as part of a welfare-to-work plan.

.22 The remaining hours, up to 12 hours for an adult in a one-parent assistance unit pursuant to Section 42-711.411, or up to 15 hours for an adult in a two-parent assistance unit pursuant to Section 42-711.421, may be comprised of any of the welfare-to-work activities described in Section 42-716.31.

.23 Hours spent in specified non-core activities [mental health, substance abuse, and domestic abuse services, as described in Sections 42-716.31(q), and classroom, laboratory, and internships in adult basic education, job skills training directly related to employment, satisfactory progress in a secondary school or in a course of study leading to a certificate of general educational development, and education directly related to employment, as described in Sections 42-716.31(k), (l), (o), and/or (p) respectively] in excess of those that can be accomplished within the non-core hours can count as core hours if:

.231 The county has determined that the assigned participation, if any, in mental health, substance abuse, and domestic abuse services is necessary for the individual to participate in core activities; and

.232 The assigned participation hours, if any, in classroom, laboratory, and internship activities in adult basic education, job skills training directly related to employment, satisfactory progress in a secondary school or in a course of study leading to a certificate of general educational development, and education directly related to employment programs meet the criteria listed below:

(a) The program leads to a self-supporting job.

(b) The individual is making satisfactory progress.

(c) The individual does not possess a baccalaureate degree unless he or she is pursuing a California regular classroom teaching credential.

(d) The program is on the county list of programs that the county and local agencies agree will lead to employment in accordance with Section 42-711.543(b).

(1) If the program is not on the county-approved list, the county must continue to provide the individual with the opportunity to demonstrate, in accordance with Section 42-711.543(b)(1)(A), that completion of the program will lead to self-supporting employment.

.24 Additional conditions on counting hours spent in non-core activities as core hours.

.241 Non-core hours spent in other activities necessary to assist an individual in obtaining unsubsidized employment, and participation required of the parent by the school to ensure the child's attendance, as specified in Sections 42-716.31(r) and (s), shall not prevent an individual from counting hours spent in those non-core activities described in Section 42-716.23 as core hours.

.242 Hours spent in vocational education and training, as a non-core activity, as specified in Section 42-716.31(m), shall prohibit an individual from counting non-core hours as described in 42-716.23 as core hours.

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Example 1: An adult in a one-parent AU does not meet welfare-to-work exemption criteria. She must participate in at least 20 hours of core welfare-to-work activities per week with the balance of her 32-hour participation requirement spent in either core or non-core welfare-to-work activities. A combined 18 hours of substance abuse and mental health treatment (8 and 10 hours, respectively) are necessary for her to participate in her core welfare-to-work activity. Because only 12 of the necessary 18 hours of treatment can be accomplished as non-core participation hours, the remaining six hours of substance abuse services are counted toward her core requirement. The individual must then participate for 14 hours in a core activity to fulfill her 32-hour participation requirement.

	Core Hours	Non-core Hours That Count As Core Hours	Non-core Hours	Hours of Participation
Core WTW Activity	14			14
Substance Abuse		6	2	8
Mental Health			10	10
Total Hours of Participation				32

Example 2: An adult in a two-parent AU must participate in at least 20 hours of core welfare-to-work activities per week with the balance of his 35-hour participation requirement spent in either core or non-core activities. The individual needs 20 hours of classroom, laboratory, or internship activities in a job skills training program (computer training) to assist him to obtain a self-supporting job as an office clerk, and the training meets the necessary criteria to qualify as a core welfare-to-work activity. Because only 15 of the necessary 20 hours of job skills training can be accomplished as non-core participation hours, the remaining five hours of training are counted toward his core requirement. He must then participate for 15 hours in a core activity to fulfill his 35-hour participation requirement.

	Core Hours	Non-core Hours That Count As Core Hours	Non-core Hours	Hours of Participation
Core WTW Activity	15			15
Job Skills Training		5	15	20
Total Hours of Participation				35

Example 3: An adult in a one-parent AU must participate in at least 20 hours of core welfare-to-work activities per week with the balance of her 32-hour participation requirement spent in either core or non-core activities. The individual needs 20 hours of classroom, laboratory, or internship activities in a job skills training program (mechanical drawing program that meets all specified criteria) to obtain a self-supporting job as a draftsman. Eight hours of substance abuse treatment is also necessary for the individual to participate in her core activity. Because only 12 of the necessary 28 hours of educational activities and substance abuse treatment can be accomplished as non-core participation hours, the remaining 16 hours in these activities are counted toward her core requirement. She must then participate for four hours in another core activity to fulfill her 32-hour participation requirement.

	Core Hours	Non-core Hours That Count As Core Hours	Non-core Hours	Hours of Participation
Core WTW Activity	4			4
Job Skills Training		16	4	20
Substance Abuse Treatment			8	8
Total Hours of Participation				32

Example 4: A non-exempt individual needs 32 hours of short-term substance abuse treatment services per week and is registered in a residential treatment facility as part of his welfare-to-work plan. Since all 32 hours of the substance abuse treatment services cannot be accomplished as non-core participation hours, 20 hours of the substance abuse treatment are counted as a core activity. The individual, therefore, is fully meeting his 32-hour participation requirement.

	Core Hours	Non-core Hours That Count As Core Hours	Non-core Hours	Total Hours of Participation
Substance Abuse		20	12	32

Example 5: An adult in a one-parent AU does not meet welfare-to-work exemption criteria and must participate in at least 20 hours of core welfare-to-work activities per week. The balance of her 32-hour participation requirement must be spent in either core or non-core

activities. She needs eight hours of substance abuse treatment services in order to participate in core activities. The individual is currently in her 12th month in a vocational education program which she attends for 24 hours per week. Since participation in a post 12-month vocational education program cannot be counted as a core activity, the individual's welfare-to-work plan is amended to include 20 hours of work experience, which is consistent with her assessment and continues moving her toward self-sufficiency, to meet her core requirement. Due to the continued need of eight hours of substance abuse treatment, the county can only count four hours of the post 12-month vocational education program as a non-core activity to satisfy the 32-hour welfare-to-work requirement. If the individual wishes to maintain her hours in the vocational education program, any hours beyond the 32-hour participation requirement must be on a voluntary basis.

	Core Hours	Non-core Hours That Count As Core Hours	Non-core Hours	Hours of Participation
Work Experience	20			20
Vocational Education (after counting as core for 12 months), the additional 20 hours must be on a voluntary basis.			4	4
Substance Abuse			8	8
Total Hours of Participation				32

Example 6: An adult in a two-parent AU must participate in at least 20 hours of core welfare-to-work activities per week with the balance of her 35-hour participation requirement spent in either core or non-core activities. The individual needs 20 hours of education directly related to employment. The family also needs four hours per week of family maintenance activities. Because only 11 of the necessary 20 hours of education directly related to employment can be accomplished as non-core participation hours, the remaining nine hours in this activity are counted toward her core requirement. She must then participate for 11 hours in a core activity to fulfill her 35-hour participation requirement.

	Core Hours	Non-core Hours That Count As Core Hours	Non-core Hours	Hours of Participation
Core WTW Activity	11			11
Education Directly Related to Employment		9	11	20
Family Maintenance			4	4
Total Hours of Participation				35

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.26 For purposes of complying with the requirements in Section 42-716.232, study time hours shall be treated in the following manner:

.261 Study time hours shall count as a core welfare-to-work activity if the individual receives educational credits or units for those hours, the credits and/or units count toward the completion of an individual's degree or certificate program, and the program for which study time is credited also meets the other criteria that allow participation in that activity to count as core hours.

.262 At the county's option, and when specified in the county's CalWORKs plan, non-credit study time hours, whether supervised or unsupervised, can be counted as hours of participation, but only as non-core welfare-to-work activities.

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.263 Example: An adult in a one-parent AU must participate in at least 20 hours of core welfare-to-work activities per week with the balance of her 32-hour participation requirement spent in either core or non-core activities. The individual needs 16 hours of classroom, laboratory, or internship activities of which four hours is credited study time, in an "education directly related to employment" certificate program (accounting technician program that meets all specified criteria) to obtain a self-supporting job as an accounting technician. Because study time is credited and counts toward the certificate program, it is considered education directly related to employment. Since only 12 of the necessary 16 hours of educational activities can be accomplished as non-core participation hours, the remaining four hours are counted toward her core requirement. She is also participating in 16 hours of work-study, which is a core activity, to fulfill her 32-hour participation requirement.

	Core Hours	Non-core Hours That Count As Core Hours	Non-core Hours	Hours of Participation
Work-study	16			16
Education Directly Related to Employment		4	12	16
Total Hours of Participation				32

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~~.443~~ The welfare-to-work plan described at Section 42-711.6 shall include welfare-to-work activities.

~~.443~~ Welfare-to-work activities may include, but are not limited to, any of the following:
(Continued)

(d) Work experience, as defined in Section 42-701.2(w)(4 ~~3~~). (Continued)

(2) The maximum Hhours of participation in unpaid work experience shall be limited as follows: (Continued)

(3) The monthly limit in Sections 42-716.~~443~~1(d)(2)(A) and (B) shall be considered to have been met by participation in an average weekly number of hours determined by dividing the monthly amount by 4.33 (average number of weeks per month). (Continued)

(f) Grant-based OJT, as defined in Section 42-701.2(g)(2) and pursuant to Section 42-716.~~87~~.

(g) Supported work or transitional employment as defined in Section 42-701.2(s)(3), and pursuant to Section 42-716.~~87~~, except that only the grant or the grant savings can be diverted to the employer. (Continued)

(j) Community service as defined in Section 42-701.2(c)(3).

(1) At the time of the assignment to the community service activity, the CWD shall identify the job skills(s) to be developed or enhanced. The CWD shall review the community service activity as necessary to determine the participant's progress toward reaching the training goal.

(~~42~~) Hours of participation in unpaid community service ~~prior to the time limit specified in Section 42-710~~ shall be limited as follows:

(A) ~~A P~~participants in unpaid community service activities whose assistance units includes food stamp recipients ~~shall may~~

participate in these activities for no more than the number of hours each month, determined collectively for the assistance unit, equal to the CalWORKs assistance unit's grant plus the assistance unit's portion of the food stamp allotment divided by the higher of the state or federal minimum wage. If all or a portion of the CalWORKs assistance unit's grant has been diverted to an employer pursuant to Sections 42-701.2(g)(2) and 42-716.31(f), only that portion, if any, received as a grant and the assistance unit's portion of the food stamp allotment shall be used in this calculation.

- (B) ~~A~~ Participants in unpaid community service activities whose assistance units ~~does~~ not include food stamp recipients ~~shall~~ may participate in these activities for no more than the number of hours each month, determined collectively for the assistance unit, equal to the CalWORKs assistance unit's grant divided by the higher of the state or federal minimum wage. If all or a portion of the CalWORKs assistance unit's grant has been diverted to an employer pursuant to Sections 42-701.2(g)(2) and 42-716.31(f), only that portion, if any, received as a grant shall be used in this calculation.

- (23) The monthly limit in Sections 42-716.4431(j)(42)(A) and (B) shall be considered to have been met by participation in an average weekly number of hours determined by dividing the monthly amount by 4.33 (average number of weeks per month).

- (3) ~~Hours of participation in unpaid community service after the time limit specified in Section 42-710 shall be determined in accordance with Section 42-711.93 or .94.~~

- (4) Community service activities shall comply with the non-displacement provisions specified in Section 42-720.

- (k) (Continued)

- (q) Mental health (see Section 42-716.54), substance abuse (see Section 42-716.65), and domestic abuse services (see Section 42-713.221) that are necessary to obtain and retain employment. (Continued)

- (s) Participation required of the parent by the school to ensure the child's attendance, in accordance with Section 42-711.6342(a).

- .32 Assignment to an educational activity identified under Sections 42-716.4431(k), (m), (o), and (p) is limited to those situations in which the education is needed to become employed.

- ~~.33~~ Every CWD shall provide an adequate range of the activities described in Section 42-716.44~~31~~ to ensure each participant's access to needed activities and services to assist him or her in seeking employment, to provide education and training the participant needs to find self-supporting work, and to arrange for placement in paid or unpaid work settings that will enhance a participant's ability to obtain unsubsidized employment.

~~.4~~ Community Service

~~.41~~ CWD Requirements for Provision of Community Service Activities

- ~~.411~~ The CWD may provide for community service activities for individuals who have not completed the 18 or 24-month time limit period specified in Section 42-710 and are not employed in unsubsidized employment sufficient to meet the minimum hours of participation required by Section 42-711.4.
- ~~.412~~ The CWD shall provide for community service activities for individuals who have completed the 18 or 24-month time limit period, under the conditions specified in Section 42-711.91.
- ~~.42~~ At the time of the assignment to the community service activity, the CWD shall identify the job skill(s) to be developed or enhanced. The CWD shall review the community service activity as necessary to determine the participant's progress toward reaching the training goal.
- ~~.421~~ Revisions to the welfare-to-work plan shall be made as necessary to ensure that the community service assignment continues to be consistent with the participant's plan and is effective in preparing the participant to obtain employment.
- ~~.43~~ Community service activities shall comply with the nondisplacement provisions specified in Section 42-720.
- ~~.44~~ Individuals assigned to a community service activity, before the expiration of the 18 or 24-month time limit, shall participate in community service activities for the number of hours specified in their welfare-to-work plans.
- ~~.45~~ Individuals required to participate in a community service activity, after the expiration of the 18 or 24-month time limit, shall participate as specified in Section 42-711.9.
- ~~.46~~ Child-care supportive services shall be provided to community service participants as specified in Section 42-750. Other supportive services may be provided by the CWD at the CWD's option.

.54 Mental Health Treatment Services (Continued)

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.541 (Continued)

.5411 (Continued)

.5412 (Continued)

.5413 (Continued)

.5414 In cases where a secondary diagnosis of substance abuse is made in a person referred for mental or emotional disorders, the welfare-to-work plan shall also address the substance abuse treatment needs of the participant. [See Section 42-716.65.]

.5415 (Continued)

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.65 Substance Abuse Treatment Services

.651 (Continued)

.6511 (Continued)

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.6512 (Continued)

.6513 (Continued)

.6514 (Continued)

.6515 (Continued)

.652 (Continued)

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.76 Job Openings

.761 The employer or sponsor of an employment or training position specified in Section 42-716.~~44~~31 shall assist and encourage qualified participants to apply for job openings in the sponsor's organization.

.762 (Continued)

.763 (Continued)

.87 Grant-based OJT

.871 (Continued)

.8711 (Continued)

.8712 (Continued)

.8713 (Continued)

.8714 (Continued)

.8715 (Continued)

.8716 An agreement by the participant acknowledging the participant's obligation to return to the CWD any recovered wages up to the amount of the corrective underpayment paid pursuant to Section 42-716.~~85742~~.

.872 The CWD shall provide grant-based OJT funded community service positions; ~~pursuant to Sections 42-711.9 and 42-716.4~~, only if the community service component of the county CalWORKs plan specifies the process by which the CWD will comply with the voluntary consent requirement and lists the languages, other than English, in which written consent will be obtained.

.873 (Continued)

.8731 (Continued)

.8732 (Continued)

.84 ~~After the participant has reached their 18 or 24 month limit as specified in Section 42-710, the subsidy provided to the employer by the CWD shall be limited to the amount of the participant's diverted grant and/or grant savings.~~

~~.841~~733 Nothing in this Section 42-716.~~8473~~ shall preclude an employer from using its own funds to pay a portion of the participant's wages.

~~.8574~~ (Continued)

~~.8574~~1 Section 42-716.~~85741~~(MR) shall become inoperative and Section 42-716.~~85741~~(QR) shall become operative in a county on the date QR/PB

becomes effective in that county, pursuant to the Director's QR/PB Declaration.
(Continued)

.85742 (Continued)

.8675 (Continued)

.876 (Continued)

.8761 (Continued)

.8762 (Continued)

.8763 (Continued)

.8764 (Continued)

.8765 That the employer's participation in grant-based-OJT funded job placements may be cancelled pursuant to Section 42-716.88771.

.8877 (Continued)

.88771 (Continued)

.88772 (Continued)

.8978 (Continued)

Authority Cited: Sections 10553, 10554, and 10604, Welfare and Institutions Code.

Reference: Sections 11253.5(b), 11265.1, 11265.2, 11320.3(b)(2), 11322.6, 11322.61, 11322.7, 11322.8, 11322.9, ~~11322.9(a), (b), (c), (d)(6), (e), and (f)~~; 11324.4, 11324.6(a), 11325.21(a) and (d)(1), 11325.22(b)(1), 11325.7(a), (c), (d), 11325.8(a), (c), (d), and (f), 11326, 11327.5, 11450.5, 11451.5, and 11454(a), Welfare and Institutions Code; and Section 8358(c)(2), Education Code; 7 U.S.C. 2029(a)(1); 7 U.S.C. 2035; U.S. Department of Labor guidance on FLSA, with attached U.S.D.A., Food and Nutrition Service (FNS) guidance on an SFSP, dated May 22, 1997; and Simplified Food Stamp Program approval letters from FNS to implement the provisions of an SFSP, dated May 5, 2000 and August 3, 2000.

Amend Section 42-718 to read:

42-718 OTHER PROVIDERS OF ACTIVITIES AND SERVICES (Continued) 42-718

.2 Contracts/Agreements for Job Search, Training, and Education Services

.21 Except as specified in Sections 42-718.212 and .213, any contract/agreement which provides for payment for training and education services shall be competitively selected using applicable State and federal regulations. Payment for services which are part of an individual's welfare-to-work plan may be made based upon fixed-unit-price performance-based criteria.

.211 Under these contracts, full payment shall not be considered earned by the contractor for training and education services as defined in Sections 42-716.4431(a) through (r) until either of the following has occurred: (Continued)

Authority Cited: Sections 10553, 10554 and 10604, Welfare and Institutions Code.

Reference: Sections 10619, 11320, 11322.62, and 11328.8, Welfare and Institutions Code.

Amend Section 42-719 to read:

42-719 SCHOOL ATTENDANCE

42-719

- .1 All children in an assistance unit (AU) for whom school is compulsory, but who are not subject to Cal-Learn requirements as described in Sections 42-762 through 42-769, shall be required to regularly attend school, as specified in Section 40-105.5.
- .11 Teens ages 16 and 17, who are not regularly attending elementary, secondary, vocational, or technical school on a full-time basis, shall be referred to the CWD to have a welfare-to-work plan developed in accordance with Section 42-711.
- .111 The welfare-to-work plan for teens ages 16 and 17, who have not completed high school or its equivalent, shall be for the purpose of completing high school or its equivalent only. (Continued)
 - (b) ~~18 and 24 month time limits under Section 42-710 shall not apply to these teens.~~
 - (eb) (Continued)
- .2 Except as exempted in accordance with Section 42-712.422, teens ages 16 and 17 who have completed high school or its equivalent are required to participate in welfare-to-work activities and are subject to all Welfare-to-Work Program requirements specified in Section 42-711.
- .21 ~~18 and 24 month time limits shall not apply to these teens.~~
- .3 (Continued)

Authority Cited: Sections 10553, 10554, and 10604, Welfare and Institutions Code.

Reference: Sections 11253.5, 11320.3(a) and (b)(2), 11322.8(a), 11325.21, 11331.5, and 11454(a), Welfare and Institutions Code; and Section 48200, Education Code.

Amend Section 42-720 to read:

42-720 NONDISPLACEMENT PROTECTION IN WORK ACTIVITIES 42-720

.1 Displacement Provisions

Except as specified in Section 42-720.3, an education, employment, or training program position specified in Sections 42-716.4431(a) through (l), or under any county pilot project, may not be created as a result of, or may not result in, any of the following: (Continued)

.3 Notification of labor unions and non-union employees of the use of CalWORKs recipients.

.31 The CWD shall notify or ensure that an employment or training provider notifies:

- .311 The appropriate labor union of the use of a CalWORKs recipient assigned to a welfare-to-work employment or training activity described in Section 42-716.4431 or any position created under a county pilot project, in any location or work activity controlled by an employer and covered by a collective bargaining agreement between the employer and a union; or (Continued)

Authority Cited: Sections 10553, 10554, and 10604, Welfare and Institutions Code.

Reference: Sections 11324.5, 11324.6, and 11324.7, Welfare and Institutions Code.

Amend Section 42-721 to read:

42-721 NONCOMPLIANCE WITH PROGRAM REQUIREMENTS 42-721
(Continued)

.3 Good Cause for Failure or Refusal to Comply with Program Requirements

.31 No sanctions shall be applied for failure or refusal to comply with program requirements for reasons related to employment, an offer of employment, an activity, or other training for employment including, but not limited to, the following reasons:
(Continued)

.313 The employment, offer of employment, activity, or other training for employment is remote from the individual's home because either: (Continued)

An individual who fails or refuses to comply with the program requirements based on the remoteness of the employment, offer of employment, activity, or other training for employment shall be required to participate in community service activities in accordance with Section 42-716.4 as defined in Section 42-701.2(c)(3), and in accordance with Section 42-716.31(j)(2). (Continued)

.4 Sanctions

.41 Financial sanctions shall be applied when a non-exempt welfare-to-work participant has failed or refused to comply with program requirements without good cause and compliance efforts have failed. (Continued)

~~.412 Any month in which an individual is under sanction and removed from the assistance unit shall not be counted in determining the 18 and 24 month time limits in accordance with Section 42-710.63.~~

~~.413~~ (Continued)

~~.414~~ Section 42-721.4143(QR) shall become operative in a county on the date QR/PB becomes effective in that county, pursuant to the Director's QR/PB Declaration. (Continued)

Authority Cited: Sections 10553, 10554, and 10604, Welfare and Institutions Code.

Reference: Sections 11203, 11265.2, 11320, 11320.31, 11322.9, 11324.8(d), 11327.4, 11327.5(a) through (e), 11327.6, 11327.8, 11327.9, 11328.2, 11333.7, 11454, and 16501.1(d), (e), (f), and (g), Welfare and Institutions Code.

Amend Section 42-722 to read:

42-722 LEARNING DISABILITIES PROTOCOLS AND STANDARDS 42-722
(Continued)

.6 Learning Disabilities Participation Requirements

.61 Unless exempt pursuant to Section 42-712, an individual with a learning disability must participate for the required number of hours as specified in Sections 42-711.411 or .421. (Continued)

.7 Identifying Participants With Learning Disabilities During Good Cause Determination, Compliance Process and/or Stopping of a Welfare-to-Work Sanction (Continued)

.73 If a learning disability is confirmed through an evaluation for an individual who is attempting to stop his/her welfare-to-work sanction, the county will determine whether the learning disability was a contributing factor to his/her noncompliance.

.731 If the learning disability was a contributing factor to the individual's noncompliance: (Continued)

(c) If the individual chooses to receive aid for the rescinded sanction period, in accordance with Section 42-722.731(b)(1), all months in that period will be counted against the 60-month time limits, but not against the 18- or 24-month clock, in accordance with Section 42-722.8. (Continued)

~~.8 Retrospective Adjustment of the 18- and 24-Month Time Clock~~

~~.81 Counties must retrospectively adjust an individual's 18- or 24-month time clock when the participant meets all of the following criteria:~~

~~.811 Has a verified learning disability; and~~

~~.812 One of the following:~~

~~(a) Was not screened and evaluated for learning disabilities before signing the welfare-to-work plan; or~~

~~(b) Was screened by the county, evaluated, and found to have a learning disability; and~~

~~.813 Both of the following:~~

~~(a) Signed a welfare-to-work plan; and~~

(b) ~~Participated in welfare to work activities, but without appropriate accommodations for his/her learning disabilities; and~~

~~.814 Did not make satisfactory progress in welfare to work activities.~~

~~.82 When a participant meets the criteria in Section 42-722.81, the county will do the following:~~

~~.821 Credit back one full month to the 18- or 24-month time clock for every partial or full month that the individual participated in welfare to work activities without appropriate accommodations and did not make satisfactory progress in his or her welfare to work activities;~~

~~.822 Provide him/her with written notice of the number of months credited back to his/her 18- or 24-month welfare to work time clock, the number of months remaining on his/her 18- or 24-month time clock, and the reason for the adjustment; and~~

~~.823 Amend his/her welfare to work plan to include appropriate welfare to work activities, services and/or accommodations.~~

~~.83 Participants who refuse to be screened, evaluated, or accommodated are not eligible on the basis of a learning disability for an adjustment of their 18- or 24-month time clocks.~~

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~~.84 Existing CalWORKs policies governing the 60-month time limit are unaffected by the retrospective adjustment of the 18- or 24-month time clock, pursuant to Sections 42-722.82 and .83.~~

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.8 Inter-County Transfers of Individuals With Learning Disabilities

~~.851~~ (Continued)

~~.8511~~ (Continued)

~~.8512~~ (Continued)

~~.8513~~ (Continued)

Authority Cited: Section 10553, Welfare and Institutions Code.

Reference: Sections 10850, 11320.3(f), 11322.8, 11325.2(a), 11325.25, 11325.4, 11325.5, 11327.4, 11327.5, 11454, and 11454(a) and (b), Welfare and Institutions Code.

Amend Section 42-802.2 to read:

42-802 JOB, TRAINING, AND EDUCATION FOR RCA
 WELFARE-TO-WORK PARTICIPANTS (Continued)

42-802

.2 Work experience as described in Section 42-716.4431(d). (Continued)

Authority Cited: Sections 10553 and 10554, Welfare and Institutions Code.

Reference: Sections 11320, and 11321.6(b) and (d), Welfare and Institutions Code; and 45
 CFR 400.203.

Amend Section 42-1009.112 to read:

42-1009 MANDATORY COMPONENTS FOR SRS PARTICIPANTS

42-1009

.1 The SRS Component shall include the following four services and activities.

.11 Any educational activity below the postsecondary level that the agency determines to be appropriate to the participant's employment goal. Such activities may be combined with training that the agency determines is needed in relation to the participant's employability plan. The educational activities that shall be made available include, but are not limited to:

.112 Basic and remedial education that will provide an individual with a basic literacy level in accordance with Section 42-716.32.

Authority Cited: Sections 10553 and 10554, Welfare and Institutions Code.

Reference: Sections 11322.6 and 13280, Welfare and Institutions Code.

Amend Section 42-1010.1 to read:

42-1010 OPTIONAL COMPONENTS FOR SRS PARTICIPATION

42-1010

- .1 In addition to the mandatory components specified in Section 42-1009, the SRS Component shall include unsubsidized employment, job search, OJT and at least two of the other activities listed in Section 42-716.431: (Continued)

Authority Cited: Sections 10553 and 10554, Welfare and Institutions Code.

Reference: Section 11322.7, Welfare and Institutions Code.

Amend Section 44-111.233 to read:

44-111 PAYMENTS EXCLUDED OR EXEMPT FROM CONSIDERATION 44-111
AS INCOME (Continued)

.2 Exemption of Earned Income (Continued)

.23 \$225 and 50% Disregard (Continued)

.233 Wages derived from a diverted grant and/or grant savings and paid to CalWORKs recipients who are participants in the grant-based OJT programs specified in Sections 42-716.4431(f) and (g) shall not be eligible for the \$225 and 50 percent earned income disregard.

Authority Cited: Sections 10553 and 10554, Welfare and Institutions Code.

Reference: Sections 10553, 10554, 11008.15, 11265.2, 11280, 11322.6(f)(3), 11157 (Ch. 439, Stats. of 2002), 11450.5, 11450.12, 11451.5, and 11451.7, Welfare and Institutions Code; 42 USC Section 602(g)(1)(E)(i); Section 8, Public Law 93-134; Section 2, Public Law 98-64; Section 13736, Public Law 103-66; Section 1, Public Law 100-286, Section 202(a), Public Law 100-485 and 20 USC 1087uu; 45 CFR 233.20(a)(3)(iv)(B), (a)(3)(xxi), 45 CFR 233.20(a)(4)(ii); (a)(4)(ii)(d); 45 CFR 233.20(a)(4)(ii)(p) and (q); 45 CFR 233.20(a)(11)(v)(C); 45 CFR 255.3(f)(1); Federal Action Transmittals ACF-AT-94-27 and 94-4 and FSA-IM-89-1.

Amend Section 63-407.241(b) (Handbook) to read:

63-407 WORK REGISTRATION REQUIREMENTS (Continued)

63-407

.2 Work Registration Exemptions and Registration in Substitute Programs (Continued)

.24 CalWORKs Unpaid Community Service and Work Experience

Participants in unpaid community service and work experience activities under CalWORKs shall be considered to be participating in the Food Stamp Workfare Program, subject to the following:

- .241 Such persons shall be subject to all CalWORKs Welfare-to-Work (WTW) Program statutes and regulations, including WTW exemptions, except that, consistent with Section 2029(a)(1) of Title 7 of the United States Code, the hours of participation shall be limited as follows: (Continued)

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- (b) The WTW Program regulations are located in MPP Chapter 42-700. See ~~Section 42-711.9~~ and Section 42-716.4431(j) for further instructions on hours of participation for community service. See Section 42-716.4431(d) for further instructions on hours of participation for work experience.

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Authority Cited: Sections 10553, 10554 and 18904, Welfare and Institutions Code.

Reference: Sections 10554 and 18904, Welfare and Institutions Code; 7 CFR 273.1(d)(2); 7 CFR 273.7; 7 U.S.C. 2014(e); 7 U.S.C 2015(d) and (o); 7 CFR 2025(h); 7 U.S.C. 2029(a)(1) and (e); 7 U.S.C. 2035; Sections 4121(c) and (d) of the Food Stamp Reauthorization Act of 2002 (P.L. 107-171); U.S. Department of Labor guidance on FLSA, with attached U.S.D.A., Food and Nutrition Service (FNS) guidance on Simplified Food Stamp Program (SFSP), dated May 22, 1997; SFSP approval letters from FNS to implement the provisions of an SFSP, dated May 5, 2000 and August 3, 2000; FNS letters to CDSS dated August 27, 2001 and November 13, 2001 regarding compliance with the food stamp work registration requirements and resumption of food stamp benefits after a disqualification; and FNS policy interpretation dated September 16, 2003.